



OFFICE OF THE CHIEF JUSTICE
SUPREME COURT
MANILA

August 4, 2014

HON. FELICIANO R. BELMONTE JR.
Speaker of the House of Representatives
16th Congress of the Republic of the Philippines
Batasang Pambansa Complex
Quezon City

Dear Mr. Speaker:

I write to you in connection with the letter-invitation I received only today from the House of Representatives Committee on Justice, signed by its Chairman, Representative Niel C. Tupas Jr. dated "30 July 2014."

The first paragraph of the letter refers to an "initial deliberation" on two House Bills. The first, as mentioned in the letter, is House Bill No. 4690, which the letter describes as "An Act Reforming the Administration of the Judiciary Development Fund, Mandating Transparency and Accountability in the Administration Thereof, Transferring the Administration Thereof from the Supreme Court to the Bureau of Treasury, Enacting Appropriate Audit and Reportorial Requirements Therefor, Amending for the Purpose Presidential Decree No. 1949, And For Other Purposes;" the second, again as mentioned in the letter, is House Bill No. 4738, which the letter describes as "An Act Creating the Judicial Support Fund (JSF) Under the National Treasury, Repealing for the Purpose Presidential Decree No. 1949, And For Other Purposes." The second paragraph of the letter alludes to a "meeting" that will take place on August 5, 2014 ostensibly for me or my duly authorized representative to give my "views, comments, and recommendations" on the proposed measures.

My office also received only this afternoon, a copy of the two bills.

From the phrase "initial deliberation," I take it that the meeting contemplated tomorrow, appears to be a public hearing on the two pending bills. As Speaker of

the House, you would appreciate my position that asking the Head of a co-equal branch of government to provide her “views, comments, and recommendations” on the two bills at this stage might be premature and considering the venue at which it is being proposed to be heard, inappropriate.

As an additional matter, I am certain you are also contemplating the policy ramifications of the Committee’s request on judicial independence.

I have also been informed by Deputy Court Administrator Raul B. Villanueva and Atty. Corazon Ferrer-Flores, Chief of the SC Fiscal Management and Budget Office (FMBO) that they have also received similar invitations to the meeting of August 5, 2014, despite the invitation extended to the Chief Justice or her “duly authorized representative.” I am not certain if the Committee has considered the implication of inviting both the Head of an Office or her representative, and separately inviting her subordinates. Both DCA Villanueva and Atty. Ferrer-Flores have sought the permission and guidance of the Chief Justice and the Court En Banc. The Court will meet, under its usual schedule, on Tuesday, August 5, 2014. I have been informed that for this reason, they have written to the House Committee on Justice separately that until such time that the Court En Banc provides guidance on this matter, they are unable to attend any such contemplated meeting.

Please be assured that the Court believes that Congress should continue to discharge its duty to pass much-needed legislation. On the part of the Supreme Court, activities to this end are favorably viewed especially if they will strengthen the rule of law. However, my view of the manner, timing and context in which a Committee of the House is proposing to inquire into the Judiciary Development Fund (JDF) as indicated in its letter, is that they leave much to be desired, and at this point, do not seem to be fully cognizant of the kind of healthy relationship that should exist between, on the one hand, the House of Representatives, and on the other, the Supreme Court.

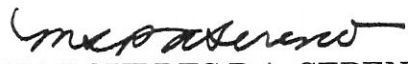

May I take this occasion to point out to the Honorable Speaker that the JDF Law, Presidential Decree No. 1949, requires the Commission on Audit (COA) to conduct a quarterly audit on the Fund, in addition to the Annual Audit Report that it submits on all funds being administered by the Supreme Court, which includes the JDF. I was informed by the Honorable Chairperson of the COA that they have been furnishing Congress copies of their audits on the JDF.

Meantime, may I kindly request that I be given the courtesy of time to consult with my colleagues in the Court on how best the Judiciary can meaningfully participate in the valid legislative concerns of the House of Representatives without sacrificing

judicial independence and fiscal autonomy. I shall be conveying the thoughts of the Court on this matter as soon it is able to arrive at such a position.

Thank you for your attention, Mr. Speaker. Please accept assurances of my highest esteem.

Very truly yours,


MARIA LOURDES P.A. SERENO 
Chief Justice

Copy furnished:

Rep. Niel C. Tupas Jr.
Chair, Committee on Justice
House of Representatives
16th Congress of the Republic of the Philippines
Quezon City

Associate Justices
Supreme Court
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