

1 Republic of the Philippines
2 Bangsamoro Autonomous Region in Muslim Mindanao
3 **BANGSAMORO TRANSITION AUTHORITY**
4 Cotabato City

5
6 **BTA PARLIAMENT**
7 *Second Regular Session*
8

9 Parliament Resolution No. 228
10



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12 Introduced by
13 **MP Engr. Don Mustapha A. Loong, JD, MPSA, CESE**
14

15 Co-authored by
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21 **Misuari, Matarul M. Estino, and Ramon A. Piang Sr.**
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24 **RESOLUTION**

25 **REQUESTING THE SUPREME COURT OF THE PHILIPPINES AND LEGAL**
26 **EDUCATION BOARD TO CONSIDER INCLUDING IN THE CLINICAL LEGAL**
27 **EDUCATION PROGRAM A PROVISION REQUIRING LAW STUDENTS TO PROVIDE**
28 **FREE LEGAL ASSISTANCE TO BARANGAY OFFICIALS IMPLEMENTING THE**
29 **KATARUNGANG PAMBARANGAY LAW**

30
31 **WHEREAS**, Memorandum Order No. 23 series of 2020 issued by the Legal Education Board
32 mandates the integration of clinical legal education in the basic law curriculum in order to prepare
33 law students for advocacy, counseling, problem-solving, and decision-making and to develop
34 socially committed lawyers with integrity and competence;

35
36 **WHEREAS**, Sec. 2 of Rule 138 – A, of the rules of court provides that a “Clinical Legal Education
37 Program is an experiential, interactive and reflective credit-earning teaching course with the
38 objectives of providing law students with practical knowledge, skills, and values necessary for the
39 application of the law, delivery of legal services and promotion of social justice and public interest,
40 especially to the marginalized, while inculcating in the students the values of ethical lawyering
41 and public service. It consists of learning activities covered by this Rule undertaken in either a 1)
42 law clinic or an 2) externship, which shall incorporate the teaching of legal theory and doctrines,
43 practical skills, as well as legal ethics”;

44
45 **WHEREAS**, the CLEP provides students with the necessary skills for their eventual practice of
46 law and socially conscious values for their role in the community. It supplements the knowledge
47 accumulated through three (3) years of “teaching-learning” experiences in the College. Through
48 the program, students are given an actual and practical understanding of the practice of law by
49 being “directly and personally” involved in addressing legal problems and situations;

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51 **WHEREAS**, the indiscriminate filing of cases in court, even for petty offenses, contributes heavily
52 and unjustifiably to the congestion of court dockets, thus causing a deterioration in the quality of
53 justice in the Philippine justice system;

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2 **WHEREAS**, the Barangay Justice System was first established by the presidential decree 1508 in
3 1978 and Batas Pambansa Blg. 337. However, it was improved by the Republic Act No. 7160,
4 otherwise known as the Local Government Code of 1991 which aimed to speed up the
5 administration of justice, reduce the number of imperceptive filing of cases, and unclog court
6 dockets;

7
8 **WHEREAS**, the Barangay Justice System, as an alternative, community-based mechanism for
9 dispute resolution of conflicts, provides a friendly, inexpensive, and speedy forum for the
10 settlement of disputes where the parties can freely explore options for amicably resolving their
11 disputes without resorting to the regular courts. Improved quality of justice is achieved using the
12 time-honored traditions and practices of communities in settling disputes between community
13 members;

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15 **WHEREAS**, the implementation of the Barangay Justice System is undertaken by the Barangay
16 Chairman and the Lupon members who are selected pursuant to the local government code on the
17 basis of their integrity, impartiality, independence, and on the traditional recognition of elders who
18 do not necessarily possess the legal knowledge and expertise to address the questions of law
19 confronting the barangay justice system;

20
21 **WHEREAS**, unlike legal practitioners including law students of existing law schools and other
22 primary law enforcement agencies, the lupon members of the barangay justice system are not as
23 well-equipped and well-trained on legal matters which may confront the barangay justice;

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25 **WHEREAS**, the Bangsamoro Autonomous Region in Muslim Mindanao has had a long history
26 of armed struggle and Rido conflicts which have hindered the peace and development of the
27 region;

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29 **WHEREAS**, Rido conflicts, which are recurring hostilities between families and kinship groups
30 characterized by a series of retaliatory acts of violence carried out to avenge a perceived affront or
31 injustice, have plagued the regional peace and development which if not addressed at the earliest
32 possible opportunity, may result in a transgenerational discord;

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34 **WHEREAS**, provisions of existing laws and legal orders including the Katarungang Pambarangay
35 Law if well and fully implemented will help achieve justice, peace, and development in every
36 community or barangay in the region;

37
38 **WHEREAS**, law students are equipped, through years of education and trainings in law schools
39 and other legal forums, with legal knowledge and concepts which will be essential and
40 instrumental to help administer justice at the community and barangay level through the rendition
41 of free legal services to aid the barangay justice system;

42
43 **WHEREAS**, to help capacitate the Barangay Justice System implementors with legal questions
44 on matters and disputes brought before them by the local disputing parties, thereby increasing their
45 efficiency and effectiveness in the administration of justice at the barangay or community level, it
46 is deemed desirable to formally organize and institutionalize a system requiring the law students
47 to render on-site legal assistance with the barangay justice system;

48
49 **WHEREAS**, the inclusion to render on-site legal services to the Barangay Justice System in the
50 Clinical Legal Education Program would significantly improve the efficiency and effectiveness of
51 the Barangay Justice System as a system established to resolve disputes at the barangay level in
52 the Region;

1 **NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, by the
2 Bangsamoro Parliament, TO REQUEST THE SUPREME COURT OF THE PHILIPPINES AND
3 LEGAL EDUCATION BOARD TO CONSIDER INCLUDING IN THE CLINICAL LEGAL
4 EDUCATION PROGRAM A PROVISION REQUIRING LAW STUDENTS TO PROVIDE
5 FREE LEGAL ASSISTANCE TO BARANGAY OFFICIALS IMPLEMENTING THE
6 KATARUNGANG PAMBARANGAY LAW;
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8 **RESOLVED, FINALLY**, that copies of this resolution be furnished to the SUPREME COURT
9 OF THE PHILIPPINES and the LEGAL EDUCATION BOARD for information and appropriate
10 consideration.
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13 **ADOPTED**,

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16 Author:

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19 **HON. MP ENGR. DON MUSTAPHA A. LOONG, JD, MPSA, CESE**
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22 Co-authors:

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25 **HON. MP ATTY. LAISA A. ALAMIA**

26
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31 **HON. MP ATTY. RASOL Y. MITMUG**

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37 **HON. MP RASOL E. ISMAEL**

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41 **HON. MP HATIMIL E. HASSAN**

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43 **HON. MP BAI MALEIHA B. CANDAO**

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51 **HON. MP TAWAKAL B. MIDTIMBANG**

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53 **HON. MP TARHATA M. MAGLANGIT**

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HON. MP MICHAEL E. MIDTIMBANG

HON. MP ATTY. JOSE I. LORENA

HON. MP ABDULKARIM T. MISUARI

HON. MP NURREDHA I. MISUARI

HON. MP MATARUL M. ESTINO

HON. MP RAMON A. PIANG SR.

Certified Correct:

PROF. RABY B. ANGKAL
Secretary General

Attested by:

HON. ATTY. PANGALIAN M. BALINDONG
Speaker