

(4-Sumomns)

TICKET NO. _____

MUNICIPAL COURT
CITY OF MANILA (Traffic)

S U M M O N S

GREETINGS:

You are hereby summoned to appear personally before this Court to answer for the following offense(s):

On the _____ day of _____, 19____ at _____M.,

Name: (Please Print) _____

Address: _____

Driver's License No. _____ did unlawfully operate

Motor Vehicle Registration No. _____ Plate No. _____

Make _____ Body Type _____

upon a public highway/street, namely at (location) _____

and did then and there commit the following offense(s):

- SPEEDING: _____ km. in a _____ km. zone
- RECKLESS DRIVING
- CARELESS DRIVING
- OBSTRUCTION

DISREGARD OF TRAFFIC SIGNAL:

- Slow Sign Stop Sign Red Light

IMPROPER PASSING:

- At Intersection Cutting In Wrong Side

PARKING:

- Overtime Prohibited Area Double

OTHER VIOLATIONS: (Describe) _____

CONDITIONS

- | | | | |
|--------------------------------|--------------------------------|---|--------------------------------------|
| <input type="checkbox"/> Clear | <input type="checkbox"/> Dawn | <input type="checkbox"/> Light Traffic | <input type="checkbox"/> School zone |
| <input type="checkbox"/> Rain | <input type="checkbox"/> Day | <input type="checkbox"/> Heavy Traffic | <input type="checkbox"/> Residential |
| <input type="checkbox"/> Fog | <input type="checkbox"/> Dusk | <input type="checkbox"/> Personal Injury | <input type="checkbox"/> Business |
| | <input type="checkbox"/> Night | <input type="checkbox"/> Property Damage | <input type="checkbox"/> Other |
| | | <input type="checkbox"/> Almost Caused Accident | |

You are hereby notified that the undersigned will file a sworn complaint in this court charging you with the offense set forth above.

(Signature and identification
of officer or other complainant)

REFERENCE DIGEST

CONSTITUTIONAL LAW: LABOR UNDER THE CONSTITUTION. In spite of the sincere efforts so far exerted to raise the living and working standards of our workers, much still remains to be done.

In the Philippines, it can not be ignored that peace and order and the stability of the Government itself depend basically on the economic and social status of the people. A form of government is as strong only as the social order upon which it rests.

Although the author admits that our Constitution is fairly progressive in so far as it deals with the question of social policy, he maintains that the promotion-of-social-justice and the protection-of-labor provisions of our Constitution are abstract, and he submits that said provisions should be expanded in order to afford a more definite and specific guide for the Government in the formulation and implementation of labor and social legislation. He suggests that the constitutional provisions on labor be expanded by incorporating provisions regarding:

- the raising of standards of living
- employment of workers in the branches of work commensurate to their capabilities, and where they can contribute greatest to the common well-being
- facilities for training and transfer of labor for employment
- wages, earnings, hours and conditions of work
- recognition of the right of collective bargaining
- extension of social security measures and provisions for medical care
- child welfare and maternity protection
- nutrition and housing facilities
- equality of educational and vocational opportunities

This is an age of rapid changes in the economic and social situations not only here but throughout the world. This is an age in which our legal and social outlook and practices need constant re-examination to make them responsive to the exigencies of modern life.

The author submits that if our Constitution is to be re-examined and amended, its provisions affecting labor should be expanded along the lines he has indicated. The obvious value of social justice must not be overlooked when the task of amending the Constitution is actually undertaken. (Juan L. Lanting, *Labor Under the Constitution*, XXIV THE LAWYERS JOURNAL NO. 3, at 78-79 and 82 (1959). ₱2.00 at Manila. This issue also contains: Manuel Lim, *The Need of the Day is not so much for*

Revision of Our Constitution as for its Implementation, Especially Through the Process of Education; Mayor Arsenio H. Lacson, The Bell Case and the Freedom of Speech and of the Press.)

CONSTITUTIONAL LAW: PRESIDENTIAL SUCCESSION ARISING FROM THE INABILITY OF THE PRESIDENT TO DISCHARGE THE POWERS AND DUTIES OF HIS OFFICE: This problem is of monumental significance. It has already created a national emergency twice. During the Commonwealth period, when President Quezon was taken ill in the United States, this issue was raised. Then again, when President Quirino went abroad for a major surgical operation. This article is written to meet this issue should it crop up again.

The author first defines the meaning and scope of the term "disability" and then treats of the problem on who should pass upon the question on whether or not the duties of the President devolve upon the Vice-President. The author is clear on the meaning of "disability" but does not give a categorical answer as to who should pass upon the question. He then proceeds to compare the four contingencies provided in Article VII, Section 8 of the Constitution and argues that since the first three all contemplate permanent vacancies, following the rule of *ejusdem generis*, the fourth and last contingency should also contemplate a permanent vacancy. The author also answers the question as to what the Vice-President succeeds to when the President is disabled, by giving different views on the matter, citing more of the opinions of U. S. federal constitutionalists.

The author concedes the void in the Constitution, and does not deny the doubt and ambiguity in the particular clause of the Constitution involved. He concludes, by citing Justice Story, that every doubt and uncertainty in the law should be cleared away. In the national interest, the problem of disability and succession should be dealt with to prevent a crisis dangerous to our future peace, if not to the existence of the government. (Ruperto Martin, *Presidential Succession Arising From the Inability of the President to Discharge the Powers and Duties of His Office*. I U. E. LAW JOURNAL NO. 2, at 147-154 (1959). ₱3.00 at the University of the East. This issue also contains: Saavedra, *Desirable Amendments to the Philippine Constitution*; Samson, *The Law and Procedure on the Recovery of Taxes*; Ronquillo, *Basic Defects of Our Present Tax System*.)

CONSTITUTIONAL LAW: THE RULE OF LAW AND THE JUDICIARY IN THE PHILIPPINES. The Philippines seeks to attain a rule of law founded on justice. Justice, in any constitutional government, is an indispensable element of law. Justice under the rule of law cannot be secured unless: (a) the judicial function includes the power to review

and pass upon the legality of governmental actions or omissions insofar as they affect the rights of individuals; and (b) the Judiciary can act independently of the Legislative and Executive departments, and invested with the same rank and dignity as them.

By the power of judicial review is meant that the Judiciary has the power to make the Legislative and Executive and their officers keep within the bounds of the Constitution, and to annul their acts whenever they impair the constitutional rights of the individual. The success of free institutions depends on a rigid adherence to the fundamental law. The power of judicial review is predicated upon the supremacy of the Constitution.

The Judiciary should be independent in order to check usurpation, to protect public liberty, and enforce private rights. Its independence must be secured and preserved by effective constitutional barriers against possible encroachment by the Executive and the Legislative. The safeguards for the independence of the Judiciary are first: the non-diminution of salary; second: length and security of tenure; and third: exemption from civil liability for acts done within their legal powers and jurisdiction. (Vicente J. Francisco, *The Rule of Law and the Judiciary in the Philippines*, XXIV THE LAWYERS JOURNAL NO. 2, at 42-44 (1959). ₱2.00 at Manila. This issue also contains: Ricardo J. Francisco, *World Jurists' Meet*.)

PROBLEMS CONFRONTING LEGAL EDUCATION: (*From the point of view of the Bench*) The author approaches the subject from two angles: objectively, with the law graduate, who intends to ply his trade before the courts, as the guinea pig, and subjectively, with a typical trial judge as the object of self-appraisal or self-examination.

The author, citing Dean Bocobo, says that the most serious indictment that could be lodged against the present-day crop of college and university graduates is the charge that they do not know how to think, read, and write well. The author gives illustrations probative of the charge. As a solution, he suggests that graduating students of law be given an opportunity to take active part in the preparation of actual cases in court, and that there be something in the law course comparable to internship in hospitals for doctors.

The author proceeds with the second approach by citing two concrete cases from which can be seen the attitude, reasoning, and preparedness of a judge in deciding questions or problems before him. He concludes that it would be highly beneficial for law schools to prescribe in their curriculum courses in Criminology or Criminal Science and Medical Jurisprudence, these sciences being contributive to a better preparation of future lawyers, and consequently, of better informed judges. (Julio Villamor, *Problems Confronting Legal Education* (from the point of view of the