

COLLEGE OF LAW

Within the framework of the basic commitment of Silliman University to the Christian faith, the College of Law aims: (1) to prepare students for a career in Law; (2) to train them for service, responsibility and leadership in the government and the private sector; (3) to instill professional growth and improvement; and (4) to produce competent, honest and dedicated lawyers motivated by the ideals of truth, justice and Christian love. In addition to other applicable University rules, the Bachelor of Laws (L.I.B.) is conferred upon students who have satisfied the entrance requirements and completed the full course of instruction, with a cumulative Q.P.A. of 2.3, as minimum requirement.

Physical Facilities

The College is housed in the Cornelio T. Villareal Hall, along Hibbard Avenue near the downtown area of Dumaguete City, on the idyllic Silliman campus. It has spacious classrooms, a comfortable moot court, and convenient student and faculty lounges. The Law Library is now located on the second floor of Villareal Hall, adjoining the classrooms and readily accessible to all students and faculty. It is fully airconditioned.

Admission Requirements

In addition to the general admission requirements, an entering law student must be a holder of a four-year Bachelor of Science or Arts or equivalent degree and must have earned at least 12 units in English, 6 units in Filipino, 12 units in Spanish,

6 units in Mathematics, and 18 units in Social Science (History, Political Science, Economics, Philosophy, Psychology, Current Issues, etc.) The scholarship aptitude of the applicant as evidenced by his College work and other criteria indicating intellectual capacity and character are considered in admitting a student to the College. Scholarships are available to incoming students who have graduated with honors from Silliman University and those with Q.P.A. of 3.25 in their freshman year in the College.

Scholarship

The Wentworth Uytengsu Scholarship is a permanent endowment for highly deserving pre-law and law students who are members of the evangelical church. The endowment was established by the late Tirso Uytengsu, Sr. in memory of his son, a pre-law student at Silliman, who died a guerrilla in World War II. Other endowments are the Serafin Vasquez Aguilar Scholarship Fund, set up by the family of the late Serafin Aguilar, and the Del Carmen Family Scholarship, to help poor and deserving students. Recent scholarships are the Felix Gaudiel, Sr. Scholarship, and the Alfonso Surigao, Jr. Scholarship, the latter established by the Protestant Lawyers League of the Philippines. Inquires about these scholarships may be directed to the Office of the Dean. Other scholarships available to students in general must be applied for with the College of Law, Silliman University.

Student Activities

The Silliman University Legal Assistance Program (LAP) is an extension program of the College. It is designed to render free legal assistance to indigent litigants, to uphold and defend human rights, to serve as a laboratory and training program for law students so they may become dedicated lawyers motivated by ideals of truth, justice and brotherly love. Law students under the supervision of a faculty-director and assisted by members of the faculty serve under the program. Student groups also provide training in public speaking and debate, leadership, and provide opportunities for fellowship and social interaction. The Oratorical and Debating Club (ORADEC) helps students develop public speaking skills

through annual contest. Practical training in leadership can be gained in the Supreme Law Council, class organizations, and in the Student Government. The Order of the Purple Hood, Portia Sorority and Scintilla Legis Fraternity provide opportunities for social interaction.

The present curriculum is based on the Model Law curriculum developed by the Philippine Association of Law Schools (PALS) and approved by the Department of Education, Culture and Sports on July 9, 1990. For practical training, juniors and seniors undergo simulated court practice in class and when available, appear in actual trials before the Municipal Trial Courts.

Juris Doctor Curriculum

First Year

First Semester	Unit
Law 101 – Persons & Family Relations	4
Law 103 – Constitutional Law I	4
Law 105 - Criminal Law I	3
Law 107 - Statutory Construction	2
Law 109 - Legal Research & Writing	2
Law 111 - Intro to Law & the Legal Prof	2
Law 113 - Env. Law/Natural Resources	1
Total	18
Second Semester	Unit
Law 102 – Obligations & Contracts	5
Law 104 – Constitutional Law II	3
Law 106 - Criminal Law II	3
Law 108 - Legal Ethics	2
Law 110 - Election Laws & Pub. Officers	2
Law 112 - Special Penal Laws	1
Law 114 - Cyber Law	2
Total	18

Second Year

First Semester	Unit
Law 201 - Property	4
Law 203 - Sales	2
Law 205 - Public Corporations	2
Law 207 - Labor Standards & Agrarian Law & Social Legislations	2
Law 209 - Problem Areas in Legal Ethics	2
Law 211 - Criminal Procedure	2
Law 213 - Copyright & Intellectual Property	2
Law 215 - Land Titles & Deeds	2
Total	18
Second Semester	Unit
Law 202 - Negotiable Instruments	3
Law 204 - Credit Transactions	3
Law 206 - Public International Law	2
Law 208 - Administrative Law	2
Law 210 - Transportation	2
Law 212 - Civil Procedure	4
Law 214 - Human Rights Law	2
Total	18

Third Year

First Semester	Unit
Law 301 - Business Organizations 1	3
Law 303 - Labor Relations	3
Law 305 - Succession	4
Law 307 - Taxation 1	2
Law 309 - Insurance	2
Law 311 - Evidence	4
Law 313 - Legal Argumentation & Debate	1
Law 315 - Contemporary Legal Issues I	1
Total	20
Second Semester	Unit
Law 302 - Business Organizations 11	4
Law 304 - Torts & Damages	2
Law 306 - Legal Counseling	2
Law 308 - Taxation 11	3
Law 310 - Banking Laws	2
Law 312 - Special Proceedings	2
Law 314 - Advanced Legal Writing & Legal Forms	2
Law 316 - Contemporary Legal Issues 11	1
Law 318 - Special Commercial Laws	2
Total	20

Summer
Pre-Bar Review Classes
Internship/Apprenticeship Component
(Requirement for admission to the senior year)

Fourth Year

First Semester	Unit
Law 401 - Civil Law Review I	4
Law 403 - Remedial Law Review I	3
Law 405 - Criminal Law Review	4
Law 407 - Labor Law Review	2
Law 409 - Practice Court I	2
Law 411 - Legal Medicine	1
Law 413 - Conflicts of Law	2
Law 415 - J. D. Legal Article	2
Total	20
Second Semester	Unit
Law 402 - Civil Law Review II	4
Law 404 - Remedial Law Review II	3
Law 406 - Commercial Law Review	4
Law 408 - Taxation Law Review	2
Law 410 - Practice Court II	2
Law 412 - Constitutional Law Review	3
Law 414 - J. D. Legal Article	2
Total	20

Course Description

- 101 PERSONS AND FAMILY RELATIONS** **4 units**
Deals with the Family Code, the Civil Code provisions on Human Relations, Civil Personality, Citizenship and Domicile, Funerals, Care and Education of Children, Surnames, Absence, and Civil Register.
- 103 CONSTITUTIONAL LAW 1** **3 units**
A study of the principles and structure of the Government of the Philippines as established by the Constitution and elaborated upon by relevant legislation and jurisprudence.
- 105 CRIMINAL LAW 1** **3 units**
Cover Book One of the Revised Penal Code and related laws; among others, the nature and classification of felonies, circumstances affecting criminal liability, complex crimes, penalties, Indeterminate Sentence Law and Probation Law.
- 107 STATUTORY CONSTRUCTION** **2 units**
Explores and explains the force of statutes and the precepts and methods of their construction and interpretation.

109 LEGAL RESEARCH**2 units**

A course on the methodology of legal research, including legal bibliography, case analysis, the use and application of original and secondary sources, such as the Corpus Juris Secundum, Philippine Reports, Supreme Court Reports Annotated, Official Gazette, and other legal publications.

111 LEGAL PHILOSOPHY**2 units**

The nature of law and the philosophy behind legal thought; law as a norm of conduct and means of social control; problems and perspectives as analyzed by jurists and legal philosophers.

113 ELECTION LAW AND PUBLIC OFFICERS**2 units**

A combined course on the electoral process and public officers, the various laws and rules regulating the conduct of elections, prohibited practices and election contests; laws pertaining to public officers, their duties and responsibilities, powers and prohibitions, liabilities, commencement and termination of official relations.

102 OBLIGATIONS AND CONTRACTS**5 units**

Deals with the nature, kinds and effect of obligations, and their extinguishment; contracts in general, their requisites, form and interpretation; and defective contracts, including quasi-contracts, natural obligations, and estoppel.

104 CONSTITUTIONAL LAW II**4 units**

A comprehensive study of the Constitution, with emphasis on the Bill of Right and jurisprudence relative thereto, and judicial review of acts and statutes bearing on the Constitution.

106 CRIMINAL LAW II**3 units**

Based on Book Two of the Revised Penal Code and related laws; among others, the specific felonies set forth therein, their nature, elements, applications, and corresponding penalties.

108 LEGAL ETHICS**2 units**

Focuses on the canons of legal ethics, the duties and responsibilities of the lawyer vis-à-vis the client, the court, the bar and the general public.

110 LEGAL WRITING**2 units**

A study on legal writing techniques, including case digesting and reporting, legal reasoning, and preparation of legal opinions and memoranda.

112 ROMAN LAW**2 units**

The evolution of Roman Law to the completion of the Corpus Juris Civilis and Institutes of Justinian, and their influence on the entire body of civil law as well as the Civil Code of the Philippines.

114 LEGAL PROFESSION**1 unit**

The history and development of the legal profession in the Philippines, its problems, objectives, trends, and role in society.

201 PROPERTY**4 units**

The law on property, ownership and its modifications, including co-ownership, special properties, possession, usufruct, easement or servitudes, nuisance, and the various modes of acquiring ownership, except succession.

203 SALES**2 units**

Based on the Civil Code, the course covers the nature of sale as a contract, its form, obligations of the vendor and vendee, warranties, actions for breach of contract, extinguishment, assignment of credits, barter of exchange, Bulk Sales Law, and the nationalization law.

205 PUBLIC CORPORATIONS**2 units**

A study of general principles governing municipal corporations, their creation, organization, and powers; covers pertinent provisions of the Local Government Code and other related laws, including the minimum wage and other employment benefits and working conditions.

207 LABOR STANDARDS**2 units**

An investigation into the minimum labor standards as prescribed by the Labor Code and other related laws, including the minimum wage and other employment benefits and working conditions.

209 AGRARIAN LAW AND SOCIAL LEGISLATION**2 units**

Covers the various laws on agrarian reform, particularly the Comprehensive Agrarian Reform Program, the Social Security Act, the Government Service Insurance Act, and relevant rules and regulations.

211 CRIMINAL PROCEDURE**2 units**

Current rules on criminal procedure, including the basic rights of the accused, preliminary investigation, and the prosecution of criminal cases before the courts of justice.

213 COPYRIGHT AND INTELLECTUAL PROPERTY**2 units**

An intensive study of the Laws on Trademark, Patents, Copyright and Intellectual Creation.

215 LAND TITLES AND DEEDS**2 units**

Deals with the Torrens System and the various modes of registration of titles and deeds to land.

202 NEGOTIABLE INSTRUMENTS**3 units**

An in-depth study of the law governing negotiable instrument and other

commercial papers, including investment papers and money market instruments.

204 CREDIT TRANSACTIONS

3 units

The law governing loans and deposits, mortgages, pledge, antichresis, guaranty, sureties and other securities or collaterals.

206 PUBLIC INTERNATIONAL LAW

2 units

An overview of the legal norms and principles governing international relations based, among other, on the United Nations Charter, decisions of international tribunals, and relevant international papers and documents.

208 ADMINISTRATIVE LAW

2 units

The development and application of rules and principles pertaining to administrative agencies with rule-making and adjudicative functions, including judicial doctrines affecting them.

210 TRANSPORTATION

2 units

General principles and basic regulations governing common carriers—land, sea, and air—base on the Code of Commerce, Civil Code and special laws.

212 CIVIL PROCEDURE

4 units

Deals with the Rules of Court provisions on civil procedure as they apply to civil cases, provisional remedies and special civil actions, including jurisdiction, pleadings and practice.

214 ENVIRONMENTAL LAW

1 unit

An overview of legislation and regulations relative to environmental protection, and the role of government and non-governmental organizations in this vital concern.

216 NATURAL RESOURCES

1 unit

A study of the constitutional provisions and special laws governing natural resources, their use, disposition, and conservation.

301 BUSINESS ORGANIZATIONS I

3 units

A comprehensive study of the law on partnership, agency, and trusts, derived from the Civil Code and special laws.

303 LABOR RELATIONS

3 units

An intensive probe into the anatomy of management-labor relations, with emphasis on collective bargaining, rights to self-organization, unfair labor practices, strikes and lockouts, termination of employment, conciliation and arbitration.

305 SUCCESSION

4 unit

with emphasis on wills, institution of heirs, legitimates, disinheritance, partition and distribution of estates.

307 TAXATION I**2 units**

General principles of taxation and statutory provisions on income taxation, including pertinent revenue regulations and circulars.

309 INSURANCE**2 units**

A study of the Insurance Code and related laws, with emphasis on the concepts and function of insurance, the nature of the insurance contract, insurable interest, special forms of insurance and government regulation of the insurance business.

311 TRIAL TECHNIQUE**2 units**

A practical course on the preparation of cases and trial briefs before actual trial, both civil and criminal. Includes effective methods of gathering facts of the case, formulation of the theory of the case, search for legal authorities, preparation of pleadings, and examination of witness during trial. Emphasis on sections 1 to 18, Rule 132 of the Rules of the Court. Includes analysis of leading cases illustrating effective handling of litigations.

313 LEGAL COUNSELING**2 units**

An introduction to the art and technique of legal counseling, the preparation of written opinions for clients on vital questions of law, advising clients on how to avoid or win litigations, as well as the general responsibilities of a lawyer as counselor.

302 BUSINESS ORGANIZATIONS II**4 units**

An incisive course on corporate law and practice, focusing on the Corporation Code and related laws governing private corporations. Includes the Securities and Exchange Commission, especially its powers of supervision and jurisdiction over corporations.

304 TORTS AND DAMAGES**2 units**

A comprehensive analysis of the law on quasi-delicts or torts, the nature, classes, and extent of damages, as provided for in the Civil Code and elaborated upon by pertinent jurisprudence.

306 EVIDENCE**4 units**

Based on Rules 128 to 134 of the Rules of the Court, the course deals among others, with the rules of admissibility, testimonial and documentary evidence, presentation of evidence, proof and authentication of documents, judicial notice, and weight and sufficiency of evidence. Includes decisional law on the subject.

308 TAXATION II**3 units**

Deals with concepts and general principles of transfer (estate and donor's), specific business, percentage, amusement, and miscellaneous taxes provided for in the National Internal Revenue Code, including general principles on tariff and customs duties.

310 PROBLEM AREAS IN LEGAL ETHICS **2 units**

Aimed at examining and resolving specific problems with ethical and moral dimensions which may confront lawyers and judges in the exercise of their responsibilities as members of the legal profession.

312 SPECIAL PROCEEDINGS **2 units**

The rules on settlement of estates of deceased persons, allowance or disallowance of wills, letters testamentary and administration, escheats, guardianship, trustees, adoption and custody of minors, habeas corpus, change of name, dissolution of corporations, voluntary recognition of natural children, absentees, correction of entries in the Civil Registry.

314 LEGAL FORMS **1 unit**

A course on the drafting of various legal documents, deeds, and other forms prescribed by law, as well as judicial pleadings and briefs.

401 LAW REVIEW I **4 units**

A general integration of civil law provisions and principles dealing with the Family Code, Human Relations, Property, Ownership and its Modifications, Different Modes of Acquiring ownership, including succession, and related laws.

403 LABOR LAW REVIEW **2 units**

A general review of all laws on labor standards and labor relations, with special emphasis on recent decisional law on the subject.

405 CRIMINAL LAW REVIEW **4 units**

A general review of the Revised Penal Code and other penal statutes, with emphasis on the applicable jurisprudence.

407 CONSTITUTIONAL LAW REVIEW **3 units**

A general review of all aspects of the Constitution as well as principles and doctrines relative thereto, including Administrative Law, with emphasis on recent jurisprudence.

409 PRACTICE COURT I **2 units**

Practical training in the preparation and drafting of complaints, petitions, answers, motions, briefs and other pleadings before the regular courts and other tribunals, as well as in the art of effective oral advocacy.

411 FORENSICS **2 units**

Clinical exercises in advocacy, oral argumentation and persuasion, debating and speaking.

413 LEGAL MEDICINE **1 unit**

An overview of the principles relating to medico-legal cases, including the procedure of presenting and examining a medical expert.

402 CIVIL LAW REVIEW II**4 units**

A general integration of civil law provisions and principles relating to obligations and contracts, credit transactions, sales, lease, quasi-contracts, quasi-delicts and damages, with emphasis on recent decisional law.

404 REMEDIAL LAW REVIEW**4 units**

A general survey and integration of the rules and principles relating to court jurisdiction, civil and criminal procedure, special civil actions, special proceedings, provisional remedies, and evidence, with emphasis on recent jurisprudence.

406 COMMERCIAL LAW REVIEW**4 units**

A comprehensive survey and review of the laws on partnership, agency, trusts, corporations, Securities and Exchange Commission, secured transactions, negotiable instruments, insurance and transportation, with emphasis on recent jurisprudence.

408 CONFLICT OF LAWS**2 units**

A course dealing with legal transactions or relationships involving foreign elements, with emphasis on the choice of law, including problems in jurisdiction, and the recognition and enforcement of foreign judgments.

410 PRACTICE COURT II**2 units**

A continuation of Practice Court I, but here mock trials are conducted, with the professor serving as judge, and the students acting as attorneys. Emphasis on the correct application of procedural rules, especially the Rules of Evidence. After the presentation of evidence, students are required to orally argue and summarize their side of the case. The judge renders a decision in writing.

412 ADVANCED LEGAL WRITING**1 unit**

A supervised writing course on the preparation of advanced legal materials, memoranda, pleadings, opinions, including practical sessions on how to answer Bar Exam questions.

414 SPECIAL PENAL LAWS**1 unit**

Deals with offenses provided for in special laws, such as the Dangerous Drugs Act, the Anti-Graft and Corrupt Practices Act, the law on Wire-Tapping and violations of the privacy of communication, the Carnapping Law, the Gambling Law, the Anti-Squatting Law, and the Cattle Rustling Act.

Faculty & Staff

Mikhail Lee L. Maxino

Dean

Assistant Professor

Belen B. Kinilitan

Secretary

Denura, Norberto L. - Asst. Prof.

Estoloso, Levy S. - Asst. Prof.

Bejar, Myles Nicholas G. - Asst. Prof.

Montebon, Jose Riodil D. - Instructor

Besario, Sheila Lynn C. Instructor

Visiting Lecturer (Part Time)

Nakao, Jose Ramon

Paguio, Gerardo A. Jr.

Macarobbo, Marites

Arbon, Manuel R.

Icao, Alex Andrew

Lagahit, Neil Ray

Maxino, Vicente C.

Maxino, Marcelino C.

Paras, Mary Rose

Tan, Crescencio R.