

[MESSAGE]

BENCHBOOK FOR TRIAL COURT JUDGES

Proceedings before courts can take different forms that are governed by different rules. Motions are of many and different kinds. The grounds by which they are either granted or denied are not to be found in any single law, or rule, but must oftentimes be gleaned from pronouncements of the Supreme Court or inferred from what can be a complicated process of reading rules together. While rules of procedure may, on first blush, appear to be straightforward and uncomplicated, decisional law uncovers nuances and introduces subtleties that are far from obvious.

To have a single volume by the side of the judges that has direct, but complete answers to the most frequently raised questions – this was the inspiration behind this Benchbook. Drawing from its experience in other Asian jurisdictions, the International Development Law Institute (IDLI) gallantly offered its services to the Supreme Court which was happy to accept.

Bright minds in our judicial firmament shared their expertise. All of them are extremely busy people, but all did their part to write out what they and IDLI believed would be of most help to our judges. This Benchbook is an offering not only of scholarship, but also of camaraderie with our judges who, often distant from the myriad legal and research sources available in Manila, must nevertheless apply the law and do justice in the islets and hamlets of this Archipelago.

IDLI worked with the Philippine Judicial Academy, and we at PHILJA are happy that we can now make the Benchbook available to our judges. There should be less reason now for uncertainty in matters pertaining to remedial law principally, and, we hope, less reason to find judges remiss in their duty of applying the law correctly, intelligently and judiciously.

A Benchbook however is not a magical answer. It is not some sorcerer's tome. It must be used – often, and well! IDLI and the PHILJA, the educational institution of the Supreme Court, now offer it to our judges. It is for them to mine its riches and to put it to work to their advantage and to the advantage of all they serve.

May our trial judges feel a little bit more confident in the discharge of their awesome duties with the aid of the Benchbook.

AMEURFINA A. MELENCIO HERRERA

Chancellor



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