

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

'18 MAY 17 P3:01

SENATE

RECEIVED BY



P.S.R. No. 738

Introduced by Senators Pimentel, Recto, Drilon, Legarda, Pangilinan, Escudero, Trillanes, Angara, Aquino, Poe, De Lima, Gatchalian, Hontiveros, and Villanueva

**RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO UPHOLD THE
CONSTITUTION ON THE MATTER OF REMOVING A CHIEF JUSTICE FROM
OFFICE**

WHEREAS, on 11 May 2018, the Supreme Court of the Philippines, voting 8-6, granted the quo warranto petition filed by Solicitor General Jose Calida to nullify the appointment of Maria Lourdes Sereno as Chief Justice of the Supreme Court of the Philippines;

WHEREAS, Section 2, Article XI of the 1987 Constitution states that members of the Supreme Court “may be removed from office, on impeachment for, and conviction of, culpable violation of the Constitution xxx”;

WHEREAS, Section 3(1) of Article XI states that “The House of Representatives shall have the exclusive power to initiate all cases of impeachment”; Section 3(6) of the same Article states that “The Senate shall have the sole power to try and decide all cases of impeachment xxx”;

WHEREAS, the Supreme Court’s decision to grant the quo warranto petition sets a dangerous precedent that transgresses the exclusive powers of the legislative branch to initiate, try, and decide all cases of impeachment;

WHEREAS, a fundamental doctrine of a republican government is the separation of powers of the executive, legislative, and judicial branches of government; and while this doctrine does not guarantee absolute autonomy in the discharge of functions of each branch, the corollary doctrine of checks and balances ensures their co-equality;

WHEREAS, the Senate recognizes that the continued harmonious interdependence of these branches lies in the faithful adherence of each branch of government to the Constitution;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED to express the sense of the Senate of the Philippines to uphold the Constitution on the matter of removing a Chief Justice from office, and respectfully urge the Supreme Court to review its decision to nullify the appointment of Maria Lourdes Sereno as Chief Justice of the Supreme Court of the Philippines.

Adopted,

~~Abdulla - Saraguel~~

Bern Aquino

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Judith

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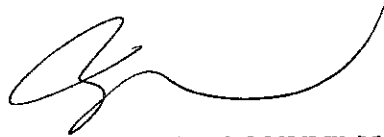
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A. Pimentel

A handwritten signature in black ink, appearing to be 'J. Angara', written in a cursive style.

JUAN EDGARDO "SONNY" M. ANGARA

I respectfully
urge the Supreme
Philadelphia Court to

LEILA M. DE LIMA

respect the
jurisdiction
of the Senate
as an
impeachment
court, over
matters relating
to the
alleged
offenses of
Chief Justice
Leano.

This is to express intention to be co-author of the Resolution with the title mentioned below, with my e-signature as allowed under existing law and which can be verified, the same to honor the 1987 Philippine Constitution:

“RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO UPHOLD THE CONSTITUTION ON THE MATTER OF REMOVING A CHIEF JUSTICE FROM OFFICE”

Grace Poe Sr

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED to express the sense of the Senate of the Philippines to uphold the Constitution on the matter of removing a Chief Justice from office, and respectfully urge the Supreme Court to review its decision to nullify the appointment of Maria Lourdes Sereno as Chief Justice of the Supreme Court of the Philippines.

Adopted,

Abad Santos - Larezuel

Ben Aquino

R. F. [unclear]

Judiel

[Signature]

[Signature]
Mama

[Signature]

[Signature]

[Signature]

A. Pimentel

[Signature]