

<p style="text-align: center;">2018 BAR EXAMINATIONS</p> <p style="text-align: center;">REMEDIAL LAW</p>
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I. GENERAL PRINCIPLES OF REMEDIAL LAW

- A. Concepts in Remedial Law
- B. Substantive law vis-à-vis-remedial law
- C. Rule-making power of the Supreme Court
 - 1. Limitations on the rule-making power of the Supreme Court
 - 2. Power of the Supreme Court to amend and suspend procedural rules
- D. Nature of Philippine courts
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 - a) Court as distinguished from a judge
 - 2. Classification of courts
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 - b) Courts of general and special jurisdiction
 - c) Constitutional and statutory courts
 - d) Courts of law and equity
 - 3. Principle of judicial hierarchy
 - 4. Doctrine of non-interference or doctrine of judicial stability

II. GENERAL PRINCIPLES ON JURISDICTION

- A. Jurisdiction of Courts
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 - 2. Court of Appeals
 - 3. *Sandiganbayan*
 - 4. Regional Trial Courts
 - 5. Family Courts
 - 6. Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, Municipal Circuit Trial Courts
 - 7. *Shari'ah* Courts
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- C. Jurisdiction over the subject matter
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 - 2. Jurisdiction versus the exercise of jurisdiction
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 - 5. Doctrine of adherence of jurisdiction
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- D. Jurisdiction over the issues
- E. Jurisdiction over the *res* or the property in litigation
- F. Jurisdiction over cases covered by The Revised Rules of Procedure for Small Claims Cases, The Revised Rules on Summary Procedure, and Barangay Conciliation
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 - 2. Right of action versus cause of action
 - 3. Failure to state a cause of action
 - 4. Test of the sufficiency of a cause of action
 - 5. Splitting a single cause of action and its effects
 - 6. Joinder and misjoinder of causes of action

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7. Distinction between real party in interest and *locus standi*

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 - b) Answer
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 - (2) Negative pregnant
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- f) Litigated and ex parte motions
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- 2. Motion for bill of particulars
 - a) Purpose and when applied for
 - b) Action of the court
 - c) Compliance with the order and effect of non-compliance
 - d) Effect on the period to file a responsive pleading
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 - b) Resolution of motion
 - c) Remedies of plaintiff when the complaint is dismissed
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 - e) Effect of dismissal of complaint on certain grounds
 - f) When grounds pleaded as affirmative defenses
 - g) Bar by dismissal
 - h) Distinguished from demurrer to evidence under Rule 33
- J. Dismissal of Actions
 - 1. Dismissal upon notice by the plaintiff; Two-dismissal rule
 - 2. Dismissal upon motion of plaintiff; effect on existing counterclaim
 - 3. Dismissal due to the fault of plaintiff
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- K. Pre-Trial
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 - 2. Nature and purpose
 - 3. Notice of pre-trial
 - 4. Appearance of parties; effect of failure to appear
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- L. Intervention
 - 1. Requisites for intervention
 - 2. Time to intervene

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- M. Subpoena
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 4. Compelling attendance of witnesses; Contempt
 5. Quashing of subpoena
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 - a) Meaning of deposition
 - b) Uses; Scope of examination
 - c) When may objections to admissibility be made
 - d) When may taking of deposition be terminated or its scope limited
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 - a) Consequences of refusal to answer
 - b) Effect of failure to serve written interrogatories
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 - a) Implied admission by adverse party
 - b) Consequences of failure to answer request for admission
 - c) Effect of admission
 - d) Effect of failure to file and serve request for admission
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- O. Trial
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 2. Requisites of motion to postpone trial
 - a) For absence of evidence
 - b) For illness of party or counsel
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 5. Consolidation or severance of hearing or trial

6. Delegation of reception of evidence
 7. Trial by commissioners
 - a) Reference by consent or ordered on motion
 - b) Powers of the commissioner
 - c) Commissioner's report; notice to parties and hearing on the report
- P. Demurrer to Evidence
1. Grounds
 2. Effect of denial
 3. Effect of grant
 4. Waiver of right to present evidence
 5. Demurrer to evidence in a civil case versus demurrer to evidence in a criminal case
- Q. Judgments and Final Orders
1. Judgment without trial
 2. Contents of a judgment
 3. Memorandum Decision
 4. Judgment on the pleadings
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 - a) For the claimant
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 - c) When the case not fully adjudicated
 - d) Affidavits and attachments
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- R. Post-judgment Remedies
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 - b) When to File
 - c) Denial of the motion; effect
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 - e) Remedy when motion is denied; Fresh 15-day period rule

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 - a) Judgments and final orders subject to appeal
 - b) Matters not appealable
 - c) Remedy against judgments and orders which are not appealable
 - d) Final Judgment Rule; Exceptions
 - e) Modes of appeal
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 - (2) Petition for review
 - (3) Petition for review on *certiorari*
 - f) Issues to be raised on appeal
 - g) Period of appeal
 - h) Perfection of appeal
 - i) Participation of the Solicitor General during appeal
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 - k) Appeal from judgments or final orders of the RTC
 - l) Appeal from judgments or final orders of the CA
 - m) Review of judgments or final orders of the COA
 - n) Review of judgments or final orders of the COMELEC
 - o) Review of judgments or final orders of the CSC
 - p) Review of judgments or final orders of the Ombudsman
 - q) Review of judgments or final orders of quasi-judicial agencies
 - r) Dismissal, reinstatement, and withdrawal of appeal
 - s) Dual function of appellate courts
 - t) The "Harmless Error Rule" in Appellate Decisions
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 - (2) Time to file action
 - (3) Contents of petition
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 - (1) Grounds for annulment
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- S. Execution, Satisfaction and Effect of Judgments
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 - a) Execution as a matter of right
 - b) Discretionary execution
 3. How a judgment is executed
 - a) Execution by motion or by independent action
 - b) Issuance and contents of a writ of execution
 - c) Execution of judgments for money
 - d) Execution of judgments for specific acts
 - e) Execution of special judgments
 - f) Effect of levy on third persons
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 5. Proceedings where property is claimed by third persons
 - a) In relation to third party claim in attachment and replevin
 6. Rules on redemption
 7. Examination of judgment obligor when judgment is unsatisfied
 8. Examination of obligor of judgment obligor
 9. Effect of judgments or final orders
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IV. PROVISIONAL REMEDIES

- A. General matters
 - 1. Nature of provisional remedies
 - 2. Jurisdiction over provisional remedies
- B. Preliminary attachment
 - 1. Grounds for issuance of writ of attachment
 - 2. Requisites
 - 3. Issuance and contents of order of attachment; affidavit and bond
 - 4. Rule on prior or contemporaneous service of summons
 - 5. Manner of attaching real and personal property; when property attached is claimed by third persons
 - 6. Discharge and the counter-bond
 - 7. Satisfaction of judgment out of property attached
- C. Preliminary injunction
 - 1. Definitions and differences: preliminary injunction and temporary restraining order (TRO)
 - 2. Requisites
 - 3. Kinds of injunction
 - 4. When writ may be issued
 - 5. Grounds for issuance of preliminary injunction
 - 6. Grounds for objection to, or for the dissolution of injunction or restraining order
 - 7. Duration of TRO
 - 8. In relation to RA 8975 - ban on issuance of TRO or writ of injunction in cases involving government infrastructure projects
 - 9. Rule on prior or contemporaneous service of summons in relation to attachment
- D. Receivership
 - 1. Cases when a receiver may be appointed
 - 2. Requisites
 - 3. Requirements before issuance of an order appointing a receiver
 - 4. General powers of a receiver
 - 5. Two (2) kinds of bonds
 - 6. Termination of receivership

- E. Replevin
 - 1. When may a writ of replevin be issued
 - 2. Requisites
 - 3. Affidavit and bond; Redelivery bond
 - 4. Sheriff's duty in the implementation of the writ; when property is claimed by third party

V. SPECIAL CIVIL ACTIONS

- A. General matters
 - 1. Nature of special civil actions
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 - 3. Jurisdiction and venue
- B. Interpleader
 - 1. Requisites for interpleader
 - 2. When to file
- C. Declaratory relief and similar remedies
 - 1. Who may file the action
 - 2. Requisites of an action for declaratory relief
 - 3. When may the court refuse to make judicial declaration
 - 4. Conversion to ordinary action
 - 5. Proceedings considered as similar remedies
 - a) Reformation of an instrument
 - b) Consolidation of ownership
 - c) Quieting of title to real property
- D. Review of judgments and final orders or resolutions of the COMELEC and COA.
 - 1. Application of Rule 65 under Rule 64
 - 2. Distinction in the application of Rule 65 to judgments of the COMELEC and COA and the application of Rule 65 to other tribunals, persons, and officers
- E. Certiorari, prohibition and mandamus
 - 1. Definitions and distinctions
 - a) Certiorari distinguished from appeal by certiorari
 - b) Prohibition and mandamus distinguished from injunction

2. Requisites
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 4. Injunctive Relief
 5. Exceptions to filing of motion for reconsideration before filing petition
 6. Reliefs petitioner is entitled to
 7. Actions/Omissions of MTC/RTC in election cases
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 9. Effects of filing of an unmeritorious petition
- F. *Quo warranto*
1. Distinguished from *quo warranto* under the Omnibus Election Code
 2. When can the government commence an action against individuals
 3. When can an individual commence an action
 4. Judgment in *quo warranto* action
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- G. Expropriation
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 2. Two stages in every action for expropriation
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 5. Defenses and objections
 6. Order of expropriation
 7. Ascertainment of just compensation
 8. Appointment of Commissioners; Commissioners' report; Court action upon Commissioners' report
 9. Rights of plaintiff after judgment and payment
 10. Effect of entry of judgment
- H. Foreclosure of real estate mortgage
1. Judgment on foreclosure for payment or sale
 2. Sale of mortgaged property; effect
 3. Disposition of proceeds of sale
 4. Deficiency judgment

- a) Instances when court cannot render deficiency judgment
- 5. Judicial foreclosure versus extrajudicial foreclosure
- 6. Equity of redemption versus right of redemption
- I. Partition
 - 1. Who may file complaint; who should be joined as defendants
 - 2. Matters to allege in the complaint for partition
 - 3. Two stages in every action for partition
 - 4. Order of partition and partition by agreement
 - 5. Partition by commissioners; Appointment of commissioners; Commissioners' report; Court action upon commissioners' report
 - 6. Judgment and its effects
 - 7. Partition of personal property
 - 8. Prescription of action
- J. Forcible entry and unlawful detainer
 - 1. Definition and distinction
 - 2. Distinguished from *accion publiciana* and *accion reivindicatoria*
 - 3. How to determine jurisdiction in *accion publiciana* and *accion reivindicatoria*
 - 4. Who may institute the action and when; against whom may the action be maintained
 - 5. Pleadings allowed
 - 6. Action on the complaint
 - 7. When demand is necessary
 - 8. Preliminary injunction and preliminary mandatory injunction
 - 9. Resolving defense of ownership
 - 10. How to stay the immediate execution of judgment
- K. Contempt
 - 1. Kinds of contempt
 - 2. Purpose and nature of each
 - 3. Remedy against direct contempt; penalty
 - 4. Remedy against indirect contempt; penalty
 - 5. How contempt proceedings are commenced
 - 6. Acts deemed punishable as indirect contempt

7. When imprisonment shall be imposed
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VI. SPECIAL PROCEEDINGS

- A. Settlement of Estate of Deceased Persons, Venue, and Process
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 2. Venue in judicial settlement of estate
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- B. Summary Settlement of Estates
 1. Extrajudicial settlement by agreement between heirs, when allowed
 2. Two year prescriptive period
 3. Affidavit of self-adjudication by sole heir
 4. Summary settlement of estates of small value, when allowed
 5. Remedies of aggrieved parties after extrajudicial settlement of estate
- C. Production and Probate of Will
 1. Nature of probate proceeding
 2. Who may petition for probate; persons entitled to notice
- D. Allowance or Disallowance of Will
 1. Contents of petition for allowance of will
 2. Grounds for disallowing a will
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- E. Requisites before a will proved abroad would be allowed in the Philippines
 1. Effects of probate
- F. Letters Testamentary and Administration
 1. When and to whom letters of administration granted
 2. Order of preference
 3. Opposition to issuance of letters testamentary; simultaneous filing of petition for administration
 4. Powers and duties of executors and administrators; restrictions on their powers
 5. Appointment of special administrator
 6. Grounds for removal of administrator

- G. Claims against the Estate
 - 1. Time within which claims should be filed; exceptions
 - 2. Statute of non-claims
 - 3. Claim of executor or administrator against the estate
 - 4. How to file a claim
- H. Actions By and Against Executors and Administrators
 - 1. Actions that may be brought against executors and administrators
 - 2. Requisites before creditor may bring an action for recovery of property fraudulently conveyed by the deceased
- I. Payment of the Debts of the Estate
- J. Distribution and Partition
 - 1. Liquidation
 - 2. Project of partition
 - 3. Remedy of an heir entitled to residue but not given his share
 - 4. Instances when probate court may issue writ of execution
- K. Trustees
 - 1. Distinguished from executor/administrator
 - 2. Condition of the bond
 - 3. Requisites for the removal and resignation of a trustee
 - 4. Grounds for removal and resignation of a trustee
 - 5. Extent of authority of trustee
- L. Escheat
 - 1. When to file
 - 2. Requisites for filing of petition
 - 3. Remedy of respondent against petition, period for filing a claim
- M. Guardianship
 - 1. General powers and duties of guardians
 - 2. Conditions of the bond of the guardian
 - 3. Rule on guardianship over minor

- N. Writ of Habeas Corpus
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 2. Contents of the return
 3. Distinguish peremptory writ from preliminary citation
 4. When not proper/applicable
 5. When writ disallowed/discharged
 6. Distinguish from *amparo* and *habeas data*
 7. Rule on custody of Minors and Writ of *Habeas Corpus* in Relation to Custody of Minors (A.M. No. 03-04-04-SC)
- O. Writ of *Amparo* (A.M. No. 07-9-12-SC)
1. Coverage
 2. Distinguish from habeas corpus and habeas data
 3. Differences between *amparo* and search warrant
 4. Who may file
 5. Contents of return
 6. Effects of failure to file return
 7. Omnibus waiver rule
 8. Procedure for hearing
 9. Institution of separate action
 10. Effect of filing of a criminal action
 11. Consolidation
 12. Interim reliefs available to petitioner and respondent
 13. Quantum of proof in application for issuance of writ of *amparo*
- P. Writ of *Habeas Data* (A. M. No. 08-1-16-SC)
1. Scope of writ
 2. Availability of writ
 3. Distinguish from *habeas corpus* and *amparo*
 4. Who may file
 5. Contents of the petition
 6. Contents of return
 7. Instances when petition may be heard in chambers
 8. Consolidation
 9. Effect of filing of a criminal action
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11. Quantum of proof in application for issuance of writ of *habeas data*
- Q. Change of Name
 1. Differences under Rule 103, Rule 108, and R.A. No. 9048
 2. Grounds for change of name
- R. Absentees
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 2. Who may file; when to file
- S. Cancellation or correction of entries in the Civil Registry
 1. Entries subject to cancellation or correction under Rule 108, in relation to R.A. No. 9048

VII. CRIMINAL PROCEDURE

- A. General Matters
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 3. Jurisdiction of criminal courts
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- B. Prosecution of Offenses
 1. Criminal actions, how instituted
 2. Who may file them, crimes that cannot be prosecuted *de officio*
 3. Criminal actions, when enjoined
 4. Control of prosecution
 5. Sufficiency of complaint or information
 6. Designation of offense
 7. Cause of the accusation
 8. Duplicity of the offense; exception
 9. Amendment or substitution of complaint or information
 10. Venue of criminal actions
 11. Intervention of offended party

- C. Prosecution of Civil Action
 - 1. Rule on implied institution of civil action with criminal action
 - 2. When civil action may proceed independently
 - 3. When separate civil action is suspended
 - 4. Effect of death of accused or convict on civil action
 - 5. Prejudicial question
 - 6. Rule on filing fees in civil action deemed instituted with the criminal action
- D. Preliminary Investigation
 - 1. Nature of right
 - 2. Purposes of preliminary investigation
 - 3. Who may conduct determination of existence of probable cause
 - 4. Resolution of investigating prosecutor
 - 5. Review
 - 6. When warrant of arrest may issue
 - 7. Cases not requiring a preliminary investigation
 - 8. Remedies of accused if there was no preliminary investigation
- E. Arrest
 - 1. Arrest, how made
 - 2. Arrest without warrant, when lawful
 - 3. Method of arrest
 - a) By officer with warrant
 - b) By officer without warrant
 - c) By private person
 - 4. Requisites of a valid warrant of arrest
 - a) Determination of probable cause for issuance of warrant of arrest
 - b) Distinguish between probable cause of prosecutor from that of a judge
- F. Bail
 - 1. Nature
 - 2. When a matter of right; exceptions
 - 3. When a matter of discretion
 - 4. Hearing of application for bail in capital offenses

5. Guidelines in fixing amount of bail
 6. Bail when not required
 7. Increase or reduction of bail
 8. Forfeiture and cancellation of bail
 9. Application not a bar to objections in illegal arrest, lack of or irregular preliminary investigation
 10. Hold departure order and Bureau of Immigration watch list
- G. Arraignment and Plea
1. Arraignment and plea, how made
 2. When should plea of not guilty be entered
 3. When may accused enter a plea of guilty to a lesser offense
 4. Accused pleads guilty to capital offense, what the court should do
 5. Searching inquiry
 6. Improvident plea
 7. Grounds for suspension of arraignment
- H. Motion to Quash
1. Grounds
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 3. Effects of sustaining the motion to quash
 4. Exception to the rule that sustaining the motion is not a bar to another prosecution
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- I. Pre-trial
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 2. What the court should do when prosecution and offended party agree to the plea offered by the accused
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 4. Non-appearance during pre-trial
 5. Pre-trial order
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- J. Trial
 - 1. Instances when presence of accused is required by law
 - 2. Requisites before trial can be suspended on account of absence of witness
 - 3. Trial *in absentia*
 - 4. Remedy when accused is not brought to trial within the prescribed period
 - 5. Requisites for discharge of accused to become a state witness
 - 6. Effects of discharge of accused as state witness
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- K. Judgment
 - 1. Requisites of a judgment
 - 2. Contents of judgment
 - 3. Promulgation of judgment; instances of promulgation of judgment *in absentia*
 - 4. When does judgment become final
- L. New Trial or Reconsideration
 - 1. Grounds for new trial
 - 2. Grounds for reconsideration
 - 3. Requisites before a new trial may be granted on ground of newly-discovered evidence
 - 4. Effects of granting new trial or reconsideration
 - 5. Application of *Neypes* doctrine in criminal cases
- M. Appeal
 - 1. Effect of an appeal
 - 2. Where to appeal
 - 3. How appeal taken
 - 4. Effect of appeal by any of several accused
 - 5. Grounds for dismissal of appeal
- N. Search and Seizure
 - 1. Nature of search warrant
 - 2. Distinguish from warrant of arrest
 - 3. Application for search warrant, where filed
 - 4. Probable cause
 - 5. Personal examination by judge of the applicant and witnesses

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 8. Exceptions to search warrant requirement
 9. Remedies from unlawful search and seizure
- O. Provisional Remedies
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VIII. EVIDENCE

- A. General Principles
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 3. Evidence in civil cases versus evidence in criminal cases
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 5. *Factum probans* versus *factum probandum*
- B. Admissibility of evidence
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 2. Relevance of evidence and collateral matters
 3. Multiple admissibility
 4. Conditional admissibility
 5. Curative admissibility
 6. Direct and circumstantial evidence
 7. Positive and negative evidence
 8. Competent and credible evidence
- C. Burden of proof and burden of evidence
- D. Presumptions
1. Conclusive presumption
 2. Disputable presumption
- E. Liberal construction of the Rules on Evidence
- F. Quantum of evidence (weight and sufficiency of evidence)
1. Proof beyond reasonable doubt
 2. Preponderance of evidence
 3. Substantial evidence
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- G. Judicial Notice and Judicial Admissions
 - 1. What need not be proved
 - 2. Matters of judicial notice
 - a) Mandatory
 - b) Discretionary
 - 3. Judicial admissions
 - a) Effect of judicial admissions
 - b) How judicial admissions may be contradicted
 - 4. Judicial notice of foreign laws, law of nations and municipal ordinances
- H. Object (Real) Evidence
 - 1. Nature of object evidence
 - 2. Requisites for admissibility
 - 3. Categories of object evidence
 - 4. Demonstrative evidence
 - 5. View of an object or scene
- I. Documentary Evidence
 - 1. Meaning of documentary evidence
 - 2. Requisites for admissibility
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 - 3. Best Evidence Rule
 - a) Meaning of the rule
 - b) When applicable
 - c) Meaning of original
 - d) Requisites for introduction of secondary evidence
 - 4. Parol evidence Rule
 - a) Application of the parol evidence rule
 - b) When parol evidence can be introduced
 - c) Distinctions between the best evidence rule and the parol evidence rule
 - 5. Authentication and proof of documents
 - a) Meaning of authentication
 - b) Public and private documents
 - c) When a private writing requires authentication; proof of a private writing

- d) When evidence of authenticity of a private writing is not required (ancient documents)
- e) How to prove genuineness of a hand writing
- f) Public documents as evidence; proof of official records
- g) Attestation of a copy
- h) Public record of a private document
- i) Proof of lack of record
- j) How a judicial record is impeached
- k) Proof of notarial documents
- l) How to explain alterations in a document
- m) Documentary evidence in an unofficial language

J. Testimonial Evidence

- 1. Qualification of a witness
- 2. Competency versus credibility of a witness
- 3. Disqualifications of witnesses
 - a) Disqualification by reason of mental incapacity or immaturity
 - b) Disqualification by reason of marriage
 - c) Disqualification by reason of death or insanity of adverse party
 - d) Disqualification by reason of privileged communications
 - (a) Husband and wife
 - (b) Attorney and client
 - (c) Physician and patient
 - (d) Priest and penitent
 - (e) Public officers
 - (f) Parental and filial privilege rule
- 4. Examination of a witness
 - a) Judicial Affidavit Rule (A.M. No. 12-8-8-SC)
 - (1) Scope and where applicable
 - (2) Contents and procedure
 - (3) Application to criminal actions
 - (4) Effect of non-compliance
 - (5) Effect on other rules

5. Rights and obligations of a witness
6. Order in the examination of an individual witness
 - a) Direct examination
 - b) Cross examination
 - c) Re-direct examination
 - d) Re-cross examination
 - e) Recalling the witness
7. Leading and misleading questions
8. Methods of impeaching the adverse party's witness
9. How the witness is impeached by evidence of inconsistent statements (laying the predicate)
10. Evidence of the good character of a Witness
11. Admissions and confessions
 - a) *Res inter alios acta rule*
 - b) Admission by a party
 - c) Admission by a third party
 - d) Admission by a co-partner or agent
 - e) Admission by a conspirator
 - f) Admission by privies
 - g) Admission by silence
 - h) Confessions
 - i) Similar acts as evidence
12. Hearsay rule
 - a) Meaning of hearsay
 - b) Reason for exclusion of hearsay evidence
 - c) Exceptions to the hearsay rule
 - (1) Dying declaration
 - (2) Declaration against interest
 - (3) Act or declaration about pedigree
 - (4) Family reputation or tradition regarding pedigree
 - (5) Common reputation
 - (6) Part of the *res gestae*
 - (7) Entries in the course of business
 - (8) Entries in the official records
 - (9) Commercial lists and the like

- (10) Learned treatises
- (11) Testimony or deposition at a former trial
- 13. Opinion rule
 - a) Opinion of expert witness
 - b) Opinion of ordinary witness
- 14. Character evidence
 - a) Criminal Cases
 - b) Civil Cases
- K. Offer and objection
 - 1. Offer of evidence
 - a) When to make an offer
 - b) Objection
 - c) Repetition of an objection
 - d) Ruling
 - e) Striking out of an answer
 - f) Tender of excluded evidence

IX. REVISED RULE ON SUMMARY PROCEDURE

- A. Cases covered by the Rule
- B. Prohibited pleadings and motions
- C. Effect of failure to answer
- D. Preliminary conference and appearances of parties

X. RULES OF PROCEDURE FOR SMALL CLAIMS CASES (AM No. 08-8-7-SC)

- A. Scope and applicability of the rule
- B. Commencement of small claims action; Response
- C. Prohibited pleadings and motions
- D. Appearances
- E. Hearing; duty of the judge
- F. Finality of judgment

XI. RULES OF PROCEDURE FOR ENVIRONMENTAL CASES (AM No. 09-6-8-SC)

- A. Scope and Applicability of the Rule
- B. Civil Procedure
 - 1. Prohibition against temporary restraining order and preliminary injunction
 - 2. Pre-trial conference; consent decree
 - 3. Prohibited pleadings and motions
 - 4. Temporary Environmental Protection Order
 - 5. Judgment and execution; reliefs in a citizen's suit
 - 6. Permanent Environmental Protection Order; writ of continuing *mandamus*
 - 7. Strategic lawsuit against public participation
- C. Special Proceedings
 - 1. Writ of *Kalikasan*
 - 2. Prohibited pleadings and motions
 - 3. Discovery measures
 - 4. Writ of continuing *mandamus*
- D. Criminal Procedure
 - 1. Who may file
 - 2. Institution of criminal and civil action
 - 3. Arrest without warrant, when valid
 - 4. Strategic lawsuit against public participation
 - 5. Procedure in the custody and disposition of seized items
 - 6. Bail
 - 7. Arraignment and plea
 - 8. Pre-trial
 - 9. Subsidiary liabilities
- E. Evidence
 - 1. Precautionary principle
 - 2. Documentary evidence

IMPORTANT NOTES:

- The listing of covered topics is not intended and should not be used by law schools as a course outline. This listing has been drawn up for the limited purpose of ensuring that the Bar candidates are guided on the coverage of the 2018 Bar Examinations.

- All laws, rules, issuances, and jurisprudence pertinent to every subject and its listed topics as of June 30, 2017 are examinable materials within the coverage of the 2018 Bar Examinations.
- Principles of law are not covered by the cut-off period stated herein.

