

GMA appoints UST civil law dean to SC

By EDU PUNAY

The dean of the University of Sto. Tomas civil law faculty was appointed as new associate justice of the Supreme Court by President Arroyo yesterday, taking the vacant post left by the retirement of Associate Justice Dante Tinga last May.

Considered an outsider to the judiciary for his lack of experience as a judge, Dean Roberto Abad took his oath of office before Chief Justice Reynato Puno in the afternoon as the 165th justice of the High Court. His appointment completed the membership of the SC.

Abad has vowed independence from his former partners and clients after 20 years in law practice, even as he denied any link to the Palace.

"I have always been independent, and I will always be independent," he told report-

ers in an interview.

"I think an outsider like me has something to contribute to the Supreme Court. If you only put judges here, you'll have less variety. I think I can put some input from the (perspective of the) academe," he stressed.

But the new SC justice does not consider himself a real outsider to the judiciary because of his experience in the SC and government. He worked for the High Court for seven years before joining the Office of the Solicitor General in 1975 for 11 years.

He also denied earlier reports that he served as private counsel for business tycoon Lucio Tan – an issue raised during his interview with the Judicial and Bar Council during his application to the SC.

"I never lawyered for Lucio

Tan. I represented his co-defendants in that (1993 tax evasion) case against their firm. It was Atty. (Estelito) Mendoza who represented him," clarified Abad, who worked as assistant to Mendoza when the latter was solicitor general in the 1980s.

Asked what he could contribute to the SC, he replied: "Hard work and a positive mind. I believe we can make changes in the judiciary."

Abad refused to comment on pressing issues hounding the country, including proposals to amend the Constitution. He said he would reserve comment since the issue might reach the SC.

But in his interview with the JBC last February, Abad said that he preferred a parliamentary form of government over

a presidential system as it would be more effective "if we follow how it is being implemented by other countries."

He also said that if ever the 1987 Constitution is changed, the provision pertaining to political dynasties should be amended to make it self-executory.

He said that while political dynasties are prohibited by the present Charter, its lack of an implementing law gives politicians the legal leeway to have their spouses, children and other relatives run for and hold on to various public posts for years.

Now 66, Justice Abad was a Dean's Lister at the Ateneo de Manila University where he earned his law degree. He first engaged in private practice, working for about a year at the Jose W. Diokno Law

Office in 1968 before he joined the government as technical assistant from 1969 to 1973 and associate attorney in 1974 and 1975 at the Supreme Court, supervised by the late Chief Justice Fred Ruiz Castro.

In 1975, he joined the OSG and in 1985 was promoted to assistant solicitor general, a post he held for about a year before putting up his own law firm. He has been engaged in the practice of law for over 22 years.

The late Chief Justice Roberto Concepcion, the first UST law graduate to top the Bar examinations and then UST Faculty of Civil Law Dean, recruited Abad from the OSG in 1978 to teach Political Law at the UST.

Subsequently, he also taught Constitutional Law,

Administrative Law, Election Law, Law on Public Corporation, and Public International Law.

He became a Bar reviewer in Political Law.

From 1988 to 1990, he worked as legal consultant for the Presidential Committee on the Nuclear Power Plant under the late Justice Secretary Sedfrey Ordoñez. Later, he worked as counsel for the Equitable Banking Corp. and its officers and branch managers during the impeachment trial of former President Joseph Estrada.

He authored two books, *Practical Book in Legal Writing* in 2002 and *Fundamentals of Legal Writing* in 2004. He was a contributing staff editor in the Supreme Court Reports Annotated (SCRA) from 1972 to 1996.