

NORMAN A. GAID, PETITIONER, VS. PEOPLE OF THE PHILIPPINES, RESPONDENT.

G.R. No. 171636. April 07, 2009

Ponente: TINGA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-171636/>

TINGA, J.:

Before the Court is a petition for review on certiorari[1] assailing the 12 July 2005 Decision[2] of the Court of Appeals and its subsequent Resolution[3] denying petitioner's motion for reconsideration.

Petitioner Norman A. Gaid was charged with the crime of reckless imprudence resulting in homicide in an information which reads as follow:

That on or about 12:00 high noon of October 25, 2001, in front of the Laguindingan National High School, Poblacion, Laguindingan, Misamis Oriental, Philippines and within the jurisdiction of this Honorable Court, the said accused mentioned above while driving a passenger's jeepney color white bearing plate no. KVG-771 owned by barangay captain Levy Etom has no precautionary measure to preempt the accident, did then and there willfully, unlawfully and feloniously ran [sic] over Michael Dayata resulting of [sic] his untimely death as pronounced by the attending physician of Northern Mindanao Medical Center Hospital, Cagayan de Oro City.

CONTRARY TO LAW.[4]

Petitioner entered a not guilty plea. Thereafter, trial ensued.

The antecedent facts are undisputed.

At around 12:00 noon on 25 October 2001, petitioner was driving his passenger jeepney along a two-lane road where the Laguindingan National High School is located toward the direction of Moog in Misamis Oriental. His jeepney was filled to seating capacity.[5] At the time several students were coming out of the school premises.[6] Meanwhile, a fourteen year-old student, Michael Dayata (Dayata), was seen by eyewitness Artman Bongolto (Bongolto) sitting near a store on the left side of the road. From where he was at the left side of the road, Dayata raised his left hand to flag down petitioner's jeepney[7] which was traveling on the right lane of the road.[8] However, neither did petitioner nor the conductor, Dennis Mellalos (Mellalos), saw anybody flagging down the jeepney to ride at that point.[9]

The next thing Bongalto saw, Dayata's feet was pinned to the rear wheel of the jeepney, after which, he laid flat on the ground behind the jeepney.[10] Another prosecution witness, Usaffe Actub (Actub), who was also situated on the left side of the street but directly in front of the school gate, heard "a strong impact coming from the jeep sounding as if the driver forced to accelerate in order to hurdle an obstacle."[11] Dayata was then seen lying on the ground[12] and caught in between the rear tires.[13] Petitioner felt that the left rear tire of the jeepney had bounced and the vehicle tilted to the right side.[14]

Mellalos heard a shout that a boy was run over, prompting him to jump off the jeepney to help the victim.

Petitioner stopped and saw Mellalos carrying the body of the victim.[15] Mellalos loaded the victim on a motorcycle and brought him to the hospital. Dayata was first brought to the Laguindingan Health Center, but it was closed. Mellalos then proceeded to the El Salvador Hospital. Upon advice of its doctors, however, Dayata was brought to the Northern Mindanao Medical Center where he was pronounced dead on arrival.[16]

Dr. Tammy Uy issued an autopsy report stating cranio-cerebral injuries as the cause of death.[17] She testified that the head injuries of Dayata could have been caused by having run over by the jeepney.[18]

The Municipal Circuit Trial Court (MCTC) of Laguindingan[19] found petitioner guilty beyond reasonable doubt of the crime charged. The lower court held petitioner negligent in his driving considering that the victim was dragged to a distance of 5.70 meters from the point of impact. He was also scored for "not stopping his vehicle after noticing that the jeepney's left rear tire jolted causing the vehicle to tilt towards the right." [20] On appeal, the Regional Trial Court (RTC)[21] affirmed in toto the decision of the MCTC.

The Court of Appeals affirmed the trial court's judgment with modification in that it found petitioner guilty only of simple negligence resulting in homicide.

The Court of Appeals exonerated petitioner from the charge of reckless imprudence resulting to homicide on the ground that he was not driving recklessly at the time of the accident. However, the appellate court still found him to be negligent when he failed "to promptly stop his vehicle to check what caused the sudden jotting of its rear tire." [22]

In its 6 February 2006 Resolution, the Court of Appeals denied petitioner's motion for reconsideration.[23]

Hence, the instant petition.

Petitioner submits that the Court of Appeals erred in finding that "there is (sic) absolutely lack of precaution on the part of the petitioner when he continued even after he had noticed that the left rear tire and the jeep tilted to its right side." [24] Petitioner stressed that he, in fact, stopped his jeep when its left rear tire bounced and upon hearing that somebody had been ran over.

Moreover, petitioner asserts that the Court of Appeals committed a grave abuse of discretion in convicting him of the offense of simple negligence resulting in homicide. Assuming *arguendo* that he failed to promptly stop his vehicle, petitioner maintains that no prudent man placed in the same situation could have foreseen the vehicular accident or could have stopped his vehicle in time when its left rear tire bounced due to the following reasons: (1) the victim was only a trespasser; (2) petitioner's attention was focused on the road and the students outside the school's gate; and (3) the jeepney was fully loaded with passengers and cargoes and it was impossible for the petitioner to promptly stop his vehicle.[25]

The Office of the Solicitor-General (OSG) maintained that petitioner was negligent when he continued to run towards the direction of Moog, Laguindingan, dragging the victim a few meters from the point of impact, despite hearing that a child had been run over.[26]

The presence or absence of negligence on the part of petitioner is determined by the operative events leading to the death of Dayata which actually comprised of two phases or stages. The first stage began when Dayata flagged down the jeepney while positioned on the left side of the road and ended when he was run over by the jeepney. The second stage covered the span between the moment immediately after the victim was run over and the point when petitioner put the jeepney to a halt.

During the first stage, petitioner was not shown to be negligent.

Reckless imprudence consists of voluntarily doing or failing to do, without malice, an act from which material

damage results by reason of an inexcusable lack of precaution on the part of the person performing or failing to perform such act.[27]

In *Manzanares v. People*,[28] this Court convicted petitioner of the crime of reckless imprudence resulting in multiple homicide and serious physical injuries when he was found driving the Isuzu truck very fast before it smashed into a jeepney.[29] Likewise, in *Pangonorom v. People*,[30] a public utility driver, who was driving very fast, failed to slow down and hit a swerving car. He was found negligent by this Court.

In the instant case, petitioner was driving slowly at the time of the accident, as testified to by two eyewitnesses. Prosecution witness Actub affirmed this fact on cross-examination, thus:

ATTY. MACUA:

(to the witness)

Q

Mr. Witness, when the passenger jeepney passed by the gate of the Laguindingan National High School, is it running slowly, am I correct?

A

Yes, he was running slowly.[31]

The slow pace of the jeepney was seconded by Mellalos:

Q

You testified that you heard somebody outside from the vehicle shouting that a boy was ran over, am I correct?

A

Yes, Sir.

Q

Now, before you heard that shouting, did you observe any motion from the vehicle?

A

The jeep was moving slowly and I noticed that there was something that [sic] the jeep a little bit bounced up as if a hump that's the time I heard a shout from outside.[32]

Petitioner stated that he was driving at no more than 15 kilometers per hour.[33]

It appears from the evidence Dayata came from the left side of the street. Petitioner, who was driving the jeepney on the right lane, did not see the victim flag him down. He also failed to see him go near the jeepney at the left side. Understandably, petitioner was focused on the road ahead. In Dayata's haste to board the jeep which was then running, his feet somehow got pinned to the left rear tire, as narrated by Bongolto. Actub only saw Dayata after he heard a strong impact coming from the jeep.

With the foregoing facts, petitioner can not be held liable during the first stage. Specifically, he cannot be held liable for reckless imprudence resulting in homicide, as found by the trial court. The proximate cause of the accident and the death of the victim was definitely his own negligence in trying to catch up with the moving jeepney to get a ride.

In the instant case, petitioner had exercised extreme precaution as he drove slowly upon reaching the vicinity of

the school. He cannot be faulted for not having seen the victim who came from behind on the left side.

However, the Court of Appeals found petitioner guilty of simple negligence resulting in homicide for failing to stop driving at the time when he noticed the bouncing of his vehicle. Verily, the appellate court was referring to the second stage of the incident.

Negligence has been defined as the failure to observe for the protection of the interests of another person that degree of care, precaution, and vigilance which the circumstances justly demand, whereby such other person suffers injury.[34]

The elements of simple negligence: are (1) that there is lack of precaution on the part of the offender; and (2) that the damage impending to be caused is not immediate or the danger is not clearly manifest.[35]

The standard test in determining whether a person is negligent in doing an act whereby injury or damage results to the person or property of another is this: could a prudent man, in the position of the person to whom negligence is attributed, foresee harm to the person injured as a reasonable consequence of the course actually pursued? If so, the law imposes a duty on the actor to refrain from that course or to take precautions to guard against its mischievous results, and the failure to do so constitutes negligence. Reasonable foresight of harm, followed by the ignoring of the admonition born of this provision, is always necessary before negligence can be held to exist.[36]

In *Philippine National Construction Corporation v. Court of Appeals*,[37] the petitioner was the franchisee that operates and maintains the toll facilities in the North and South Luzon Toll Expressways. It failed to exercise the requisite diligence in maintaining the NLEX safe for motorists. The lighted cans and lane dividers on the highway were removed even as flattened sugarcanes lay scattered on the ground. The highway was still wet from the juice and sap of the flattened sugarcanes. The petitioner should have foreseen that the wet condition of the highway would endanger motorists passing by at night or in the wee hours of the morning.[38] Consequently, it was held liable for damages.

In an American case, *Hernandez v. Lukas*,[39] a motorist traveling within the speed limit and did all was possible to avoid striking a child who was then six years old only. The place of the incident was a neighborhood where children were playing in the parkways on prior occasions. The court ruled that it must be still proven that the driver did not exercise due care. The evidence showed that the driver was proceeding in lawful manner within the speed limit when the child ran into the street and was struck by the driver's vehicle. Clearly, this was an emergency situation thrust upon the driver too suddenly to avoid.

In this case, the courts below zeroed in on the fact that petitioner did not stop the jeepney when he felt the bouncing of his vehicle, a circumstance which the appellate court equates with negligence. Petitioner contends that he did not immediately stop because he did not see anybody go near his vehicle at the time of the incident.[40]

Assuming *arguendo* that petitioner had been negligent, it must be shown that his negligence was the proximate cause of the accident. Proximate cause is defined as that which, in the natural and continuous sequence, unbroken by any efficient, intervening cause, produces the injury, and without which the result would not have

occurred.[41] In order to establish a motorist's liability for the negligent operation of a vehicle, it must be shown that there was a direct causal connection between such negligence and the injuries or damages complained of. Thus, negligence that is not a substantial contributing factor in the causation of the accident is not the proximate cause of an injury.[42]

The head injuries sustained by Dayata at the point of impact proved to be the immediate cause of his death, as

indicated in the post-mortem findings.[43] His skull was crushed as a result of the accident. Had petitioner immediately stopped the jeepney, it would still not have saved the life of the victim as the injuries he suffered were fatal.

The evidence on record do not show that the jeepney dragged the victim after he was hit and run over by the jeepney. Quite the contrary, the evidence discloses that the victim was not dragged at all. In fact, it is the other way around. Bongolto narrated that after the impact, he saw Dayata left behind the jeepney.[44] Actub saw Dayata in a prone position and bleeding within seconds after impact.[45] Right after the impact, Mellalos immediately jumped out of the jeepney and saw the victim lying on the ground.[46] The distance of 5.70 meters is the length of space between the spot where the victim fell to the ground and the spot where the jeepney stopped as observed by the trial judge during the ocular inspection at the scene of the accident.[47]

Moreover, mere suspicions and speculations that the victim could have lived had petitioner stopped can never be the basis of a conviction in a criminal case.[48] The Court must be satisfied that the guilt of the accused had been proven beyond reasonable doubt.[49] Conviction must rest on nothing less than a moral certainty of the guilt of the accused. The overriding consideration is not whether the court doubts the innocence of the accused but whether it entertains doubt as to his guilt.[50]

Clearly then, the prosecution was not able to establish that the proximate cause of the victim's death was petitioner's alleged negligence, if at all, even during the second stage of the incident.

If at all again, petitioner's failure to render assistance to the victim would constitute abandonment of one's victim punishable under Article 275 of the Revised Penal Code. However, the omission is not covered by the information. Thus, to hold petitioner criminally liable under the provision would be tantamount to a denial of due process.

Therefore, petitioner must be acquitted at least on reasonable doubt. The award of damages must also be deleted pursuant to Article 2179 of the Civil Code which states that when the plaintiff's own negligence was the immediate and proximate cause of his injury, he cannot recover damages.

WHEREFORE, the petition is GRANTED. The decision of the Court of Appeals dated 12 July 2005 is REVERSED and SET ASIDE. Petitioner Norman A. Gaid is ACQUITTED of the crime of Simple Negligence Resulting in Homicide as found by the Court of Appeals and of the charge of Reckless Imprudence Resulting in Homicide in Criminal Case No. 1937 of the MCTC of Laguindingan, Misamis Oriental.

SO ORDERED.

Quisumbing, (Chairperson), Carpio Morales, and Peralta, JJ., concur.
Velasco, Jr., J., pls. see dissenting opinion.

[1]Rollo, pp. 27-43.

[2] Id. at 8-21; Penned by Associate Justice Myrna Dimaranan-Vidal, and concurred in by Associate Justices Teresita Dy-Liacco Flores and Edgardo A. Camello.

[3]Id. at 23-24.

[4] CA rollo, p. 84.

[5] Vide t.s.n., Records, p. 209.

- [6]Id. at 264.
- [7] Records, p. 69.
- [8] Vide: TSN, Records, p. 209.
- [9]Id. at 251 and 265.
- [10] Id. at 229.
- [11] Id. at 235.
- [12] Id.
- [13] Id. at 208-211.
- [14]Id.
- [15] Id. at 264-265.
- [16] Id. at 248-252.
- [17]Id. at 65.
- [18]Id. at 148.
- [19] CA rollo, pp. 84-92. Presided by Judge Teofilo T. Adilan. Promulgated on 30 July 2003.
- [20]Rollo, p. 74.
- [21] CA rollo, pp. 274-276. Penned by Acting Judge Mamindiara P. Mangotara.
- [22] Rollo, p. 18.
- [23] Supra note 3.
- [24] Rollo, p. 35.
- [25]Id. at 37.
- [26] Id. at 92.
- [27] People v. Garcia, 467 Phil. 1102, 1108-1109 (2004; People v. Agliday, 419 Phil. 555, 566 (2001)..
- [28]G.R. Nos. 153760-61, 16 October 2006, 504 SCRA 354.
- [29]Id. at 376-377.
- [30] G.R. No. 143380, 11 April 2005, 455 SCRA 211.
- [31]Records, p. 237.
- [32]Id. at 250.
- [33]Id. at 275.
- [34] Fernando v. Court of Appeals, G.R. No. 92087, 8 May 1992, 208 SCRA 714, 718.
- [35] REYES, LUIS B., THE REVISED PENAL CODE, 15[th] ed., p. 1002.
- [36] Philippine National Construction Corporation v. Court of Appeals, G.R. No. 159270, 22August 2005, 467

SCRA 569, 581.

[37] Supra note 36 at 569.

[38]Id.

[39] 432 N.E.2d 1028.

[40]Records, p. 271.

[41] Calimutan v. People, G.R. No. 152133, 9 February 2006, 482 SCRA 44, 60; Lambert v. Heirs of Roy Castillon, G.R. No. 160709, 23 February 2005, 452 SCRA 285, 291; St. Mary's Academy v. Carpitanos, 426 Phil. 878, 886 (2002); Raynera v. Hiceta, 365 Phil. 546, 553 (1999).

[42]8 AM. JUR. 2D AUTOMOBILES §426, citing Branstetter v. Gerdeman, 364 Mo. 1230, 274 S.W.2d 240 (1955) and Salerno v. LaBarr, 159 Pa. Commw. 99, 632 A.2d 1002 (1993).

[43] Records, p. 65.

[44] Vide TSN, Records, p. 228.

[45] Id. at 235.

[46] Id. at 255.

[47] Id. at 283. These two separate spots are marked as Exhs. "F-3" and "F-4" on the sketch of the accident scene drawn by witness Bongolto, Exh. "F" and "Exh. "2." Records, p. 88.

[48] People v. Ador, G.R. No. 140538-39, 14 June 2004.

[49] People v. Sol, G.R. No. 118504, 7 May 1997.

[50] Supra note 50.

DISSENTING OPINION

VELASCO, JR., J.:

With all due respect to my esteemed colleague, Mr. Justice Tinga, who has, as usual, prepared a well-written and comprehensive ponencia, I regret my inability to share the view that petitioner Norman A. Gaid should be acquitted of the crime of Simple Negligence Resulting in Homicide.

Simple negligence was shown on the part of petitioner at the second stage of the operative events leading to the death of Dayata. The second stage constituted the time between the moment immediately after the victim was run over and the point when petitioner stopped the jeepney.

Article 365 of the Revised Penal Code (RPC) defines "simple negligence" as one that "consists in the lack of precaution displayed in those cases in which the damage impending to be caused is not immediate nor the danger clearly manifest."

The elements of simple imprudence are (1) that there is lack of precaution on the part of the offender; and (2) that the damage impending to be caused is not immediate or the danger is not clearly manifest.[1] As early as in People v. Vistan,[2] the Court defined simple negligence, penalized under what is now Art. 365 of the RPC, as "a mere lack of prevision in a situation where either the threatened harm is not immediate or the danger not openly

visible." Elsewise put, the gravamen of the offense of simple negligence is the failure to exercise the diligence necessitated or called for by the situation which was not immediately life-destructive but which culminated, in the present case, in the death of a human being.

On October 25, 2001, on or about 12:00 high noon, the victim Dayata was waiting for a ride home in front of the gate of Laguindingan National High School, Misamis Oriental when he was run over by a passenger utility jeep, driven by petitioner. Dayata was dragged to a distance of 5.7 meters from the point of impact before petitioner stopped the jeep which was running at an estimated speed of 15 kilometers per hour. Petitioner did not get off to attend to the victim; only the conductor did. The conductor loaded the victim on a motorcycle, and brought the victim to the hospital. The victim was declared dead on arrival. Petitioner claimed that he did not see the victim prior to the accident and was unaware of how it happened because the passenger jeep was fully loaded.

The evidence shows that petitioner continued on his route even after sensing that he had run over a "hard object." At this point, petitioner should have displayed precaution by stopping on his tracks. Unfortunately, this was not done. Instead, even after he heard the shout "adunay bata naligsan!" which means "a child has been run over," petitioner nonetheless continued to run towards the direction of Moog, Laguindingan, dragging the victim a few meters from the point of impact. His lack of care was, thus, perceivable.

Indeed, petitioner could not exonerate himself from his negligent act. He failed the test of being a prudent man. The test for determining whether or not a person is negligent in doing an act that results in damage or injury to the person or property of another is: Would a prudent man, in the position of the person to whom negligence is attributed, foresee harm to the person injured as a reasonable consequence of the course about to be pursued? If so, the law imposes the duty on the doer to refrain from that course or take precaution against its mischievous results, and the failure to do so constitutes negligence. Reasonable foresight of harm, followed by ignoring the admonition borne of this prevision, is the constitutive fact in negligence.[3]

Even the Death Certificate of the victim and the testimonies of Dr. Remedios L. Uy and Dr. Tammy L. Uy of the National Bureau of Investigation proved that the victim died of injuries caused by the force or impact and found extensive/serious fractures and disfigurement as described in the Autopsy Report.[4]

Dr. Tammy further testified that based on the type, multiplicity, and severity of the injuries to the victim's head, he believed that the head was run over and subsequently, the body was dragged also based on the multiplicity of the abrasions.[5]

The degree of precaution and diligence required of an individual in any given case so as to avoid being charged with recklessness varies with the degree of the danger. If the danger of doing harm to a person or to another's property, on account of a certain line of conduct, is great, the individual who chooses to follow that particular course of conduct is compelled to be very careful in order to prevent or avoid the damage or injury. On the other hand, if the danger is small, very little care is required. It is, thus, possible that there are infinite degrees of precaution or diligence, from the most slight and instantaneous thought or the transitory glance of care to the most vigilant effort. The duty of the person to employ more or less degree of care in such cases will depend upon the circumstances of each particular case.[6]

An example of simple imprudence is a case where the driver of a cart, passing along the street of a city at the speed prescribed by the ordinances and leading his team from the side by a strap attached to the bridle or head of one of the horses, on turning a corner and in a moment of distraction, does not see a child asleep in the gutter on the side of the team opposite to him, by reason whereof the child is run over by the cart and killed. The act cannot be denominated as purely accidental, because, if the cart driver had been paying attention to his duty, he would have seen the child and very likely would have been able to avoid the accident. Nor can it be called gross or

reckless negligence, because he was not able to foresee the extremely unusual occurrence of a child being asleep in the gutter.[7]

In the fairly similar case of *People v. De los Santos*,^[8] where petitioner Glenn De los Santos run over several Philippine National Police (PNP) trainees doing their jogging, killing 11 of them and injuring another 10, this Court set aside the Regional Trial Court's conviction of Glenn for the complex crime of multiple murder, multiple frustrated murder and multiple attempted murder, with the use of motor vehicle as the qualifying circumstance. We held that what happened in the wee hours of the morning with overcast skies and the PNP trainees who were hard to discern due to their dark attire and running at the wrong side of the road was an accident. Glenn was, however, found to be negligent in failing to apply the brakes, or to swerve his vehicle to the left or to a safe place the moment he heard and felt the first bumping thuds. Had he done so, many trainees would have been spared.

It is true that in the instant case, it could be argued that victim Dayata might have died instantaneously upon being run over by the left rear tire of petitioner's jeepney. Nonetheless, that is already academic at this point. Had petitioner promptly applied the brakes when he heard the shout that he ran over someone and felt the bump, could the victim had survived? Alas, that cannot be answered as the victim was dragged for approximately 5.7 meters. If indeed petitioner's jeepney was running at only around 15 kilometers per hour, it would be easy to stop the jeepney within a distance of five (5) feet. Had he instantly applied the brakes and put the jeepney to a sudden stop, hence, the life of Dayata could have been saved. Worse, the lack of care and precaution of petitioner was shown in his utter lack of concern towards the victim. It was only his conductor who brought the victim on a motorcycle to the hospital when petitioner was duty-bound to do so.

Clear to my mind is that petitioner did not exercise the necessary care expected of him given the circumstances. What the Court said in *De los Santos* is apropos that "[A] man must use common sense, and exercise due reflection in all his acts; it is his duty to be cautious, careful, and prudent, if not from instinct, then through fear of incurring punishment. He is responsible for such results as anyone might foresee and for acts which no one would have performed except through culpable abandon."^[9]

In the instant case, like in *De los Santos*, petitioner's offense is in not applying the brakes when he heard the shout and felt the bump that he ran over something. These are not denied by petitioner. Petitioner, thus, failed to show lack of precaution given the circumstances.

Therefore, I vote to affirm the finding of the Court of Appeals that petitioner is guilty beyond reasonable doubt of the lesser offense of Simple Negligence Resulting in Homicide under Art. 365 of the RPC, with the corresponding penalty of four (4) months imprisonment, including the awards of civil indemnity, moral and actual damages, plus costs.

FROM ALL THE FOREGOING REASONS, I, therefore, vote for the outright DISMISSAL of the instant petition for lack of merit.

[1] 2 L.B. Reyes, *THE REVISED PENAL CODE* 988 (12th ed.).

[2] G.R. No. 17218, September 8, 1921.

[3] 3 R.C. Aquino, *THE REVISED PENAL CODE* 602-603 (1988); citing *Picart v. Smith*, 37 Phil. 809, 813 (1918).

[4] Records, p. 83.

[5] *Id.* at 148. TSN, June 24, 2002, p. 13.

[6] R.C. Aquino, *supra* note 3, at 603; citing Vistan, *supra* note 2.

[7] *Id.* at 607; citing *U.S. v. Reodique*, 32 Phil. 458 (1915); *U.S. v. Clemente*, 24 Phil. 178.

[8] G.R. No. 131588, March 27, 2001, 355 SCRA 415.

[9] *Id.* at 430; citing *U.S. v. Meleza*, 14 Phil. 468, 470 (1909), cited in *People v. Pugay*, No. L-74324, November 17, 1988, 167 SCRA 439, 448.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.