

ROBERT G. SCHIELDS, PLAINTIFF, VS. JOSE MCMICKING, DEFENDANT.*G.R. No. 6693. November 26, 1912*

Ponente: MORELAND, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-6693/>**MORELAND, J.:**

This is a motion for a rehearing, presented by the Solicitor-General representation of the Government. The defendant was brought before the Court of First Instance of the city of Manila for trial on a charge of larceny. He demanded two days in which to prepare for trial. It was refused him as he was forced to trial at once. He was convicted and sentenced. He applied for a writ of habeas corpus upon the ground that the judgment was void as a matter of law as he had been convicted without due process of law. The writ was allowed, and after a hearing given, and argument of counsel, the defendant was discharged under the decision of a majority of this court, Johnson, J., dissenting.

Section 30 of General Orders, No. 58, provides that "after his plea t defendant shall be entitled, on demand, to at least two days in which to prepare for trial." The refusal of the time in which to prepare for trial the consequent forcing of the defendant to his defense on the instant i under the provisions of our law, equivalent, in our judgment, to the ref a legal hearing. It amounts in effect to a denial of a trial. It is an abrogation of that due process of law which is the country's embodied procedure, without which a defendant has, in law, no trial at all.

The courts must be the first to follow the law. Where the law is express therefore, clear, where it is imperative, and, therefore, with no dis lodged anywhere, a court should never attempt to change it by interpretation or circumvent it by construction. The lawmakers realized the necessity of time to prepare for trial. They well knew that, without to prepare, a trial was a mockery and a farce. They were fully informed that if they left that question to the discretion of the court, the trial would be rather a matter of favor than of right. It has never been the policy of constitutions or of statutes to permit the inalienable right of be left to the discretion of any man. The makers of laws and of constitutions clearly foresaw the unbearable conditions which would ultimatum prevail if the right to a hearing should depend upon the discretion of judge or of the court. The precedent sent out from this court that, u the Code of Criminal Procedure of these Islands, the right to prepare for depended upon the discretion of the court, would disrupt established practice would leave every person charged with crime in doubt as to rights of which no one can constitutionally deprive him. It is true that the trial co these Islands, following their usual custom of protecting the rights of persons before them, would use that discretion with care and would never intentionally deprive any person of those privileges necessary to his com defense. But that is not quite the point. The danger lies in this, the court should, in the exercise of that discretion, deprive the defend a hearing, his only remedy would be by appeal. He would not be able to take advantage of that quick and speedy remedy by habeas corpus which is the refuge of every man who is denied the right of hearing. He would be relegated to that slower and more tedious process of appeal, with the corresponding loss of freedom.

There is no procedure known to the Philippine Islands wherein a defendant refused time to prepare for trial. There is no practice by which he is deprived of it. There is no law under which he can be denied it On the contrary, the

only procedure known to us is one embodied in the imperative law wherein the accused is expressly given two days in which to prepare for trial. The only practice known is that which grants him the time referred to. But the recognized practice and procedure of a country is due process of law of that country. It is because of that fact that the relative to time in which to prepare for trial was made specific and imperative. Under that law no court has discretion. It cannot exercise judgment It cannot interpret or construe. It can only obey. To obey that law only way of giving the defendant a trial. His rights are not satisfied the exercise of a discretion upon the question; he is entitled to the time.

We are well aware that, if the court had been given the power to determine, upon facts, whether the time in question should be granted or not, that the court had been given discretion in the matter, a very different quest would have been presented. In such case due process of law would have been conserved whichever way the judgment of the court might have gone; for, in that event, the requirements of due process of law would have be satisfied with a decision either way. Due process of law includes a decision either way in a case where discretion is lodged with the court.

While there is no case at hand precisely in point, there are many analogous. It was held in the case of Callan vs. Wilson (127 U. S., 540) trial of a defendant without a jury violates the due process clause of Constitution of the United States, and, if convicted, he is entitle the benefit of the writ of habeas corpus. We are of the opinion that is just as much a failure of due process of law to deprive a defendant an opportunity to prepare for a trial as it is to deprive him of the right to be tried before a jury. To deprive one wholly of time to prepare for is to deny him a trial altogether as that trial is defined by the law of the land.

In the case of Windsor vs. McVeigh (93 U. S., 274), which was action for condemnation based on an alleged forfeiture, a summons was issued for the defendant and he was brought into court; but the appearance of the owner, when made, was stricken out and his right to appear was denied. In that case the court said, quoting Mr. Justice Swayne in 11 Wall, 267:

"The order in effect denied the respondent a hearing. It is alleged he in the position of an alien enemy, and could have no locus standi that forum. If assailed there, he could defend there. The liability a are inseparable. A different result would be a blot upon our jurisprudence and civilization. We cannot hesitate or doubt on the subject. It be contrary to the first principles of the social compact, and of the right administration of justice."

Continuing the court said:

"Wherever one is assailed in his person or his property, there he may def for the liability and the right are inseparable. This is a principle justice, recognized as such by the common intelligence and conscience of nations. A sentence of a court pronounced against a party without hearing him, or giving him an opportunity to be heard, is not a judicial determination of his rights, and is not entitled to respect in any other tribunal.

"That there must be notice to a party of some kind, actual or constructive to a valid judgment affecting his rights, is admitted. Until notice is the court has no jurisdiction in any case to proceed to judgment, what its authority may be, by the law of its organization, over the subject matter. But notice is only for the purpose of affording the party an opportunity being heard upon the claim or the charges made; it is a summons to to appear and speak, if he has anything to say, why the judgment sought should not be rendered. A denial to a party, of the benefit of notice would be in effect to deny that he is entitled to notice at all, the sham and deceptive proceeding had better be omitted altogether. It would be like saying to a party, 'Appear, and you shall be heard;' and, he has appeared, saying, 'Your appearance shall not be recognized, a you shall not be heard.' In the present case, the district court not only in effect said this, but immediately added a decree of condemnation, reciting that the default of all persons had been duly entered. It is difficult to speak of a decree thus rendered with moderation; it was, in fact, a mere arbitrary edict, clothed in the form of a judicial sentence.

"The law is, and always has been, that whenever notice or citation is required, the party cited has the right to appear and be heard; and when the latter is denied, the former is ineffectual for any purpose. The to a party in such a case of the right to appear is in legal effect the recall of the citation to him.

* * * * *

"So a departure from established modes of procedure will often the judgment void; thus, the sentence of a person charged with felony upon conviction by the court, without the intervention of a jury, would be invalid for any purpose. The decree of a court of equity upon oral allegations, without written pleadings, would be an idle act, of no beyond that of an advisory proceeding of the chancellor. And the reason is, that the courts are not authorized to exert their power in way.

"The doctrine stated by counsel is only correct when the court proceeds, acquiring jurisdiction of the cause, according to the established governing the class to which the case belongs, and does not trans in the extent or character of its judgment, the law which is applicable to it. The statement of the doctrine by Mr. Justice Swayne, in the case of Cornell vs. Williams, reported in the 20th of Wallace, is accurate. 'The jurisdiction,' says the justice, 'having attached in everything done within the power of that jurisdiction, when collaterally questioned, is held conclusive of the rights of the parties, unless impeached for fraud.'" (20 Wall., 250.)

"It was not within the power of the jurisdiction of the district court proceed with the case, so as to affect the rights of the owner after his appearance had been stricken out, and the benefit of the citation to him thus denied. For jurisdiction is the right to hear and determine; not determine without hearing. And where, as in that case, no appearance was allowed, there could be no hearing or opportunity of being heard, and, therefore, could be no exercise of jurisdiction. By the a the court, the respondent was excluded from its jurisdiction."

In the case of Hovey vs. Elliott (167 U. S., 409) the court said;

"The fundamental conception of a court of justice is condemnation only after hearing. To say that courts have inherent power to deny all right defend an action and to render decrees without any hearing whatever is, the very nature of things, to convert the court exercising such an authority into an instrument of wrong and oppression, and hence to strip it of that attribute of justice upon which the exercise of judicial power necessary depends."

After quoting the case of McVeigh vs. United States (78 U. S., 2 Windsor vs. McVeigh (93 U. S., 274), above referred to, the court continued:

"This language but expresses the most elementary conception of the judicial function. At common law no man was condemned without being afforded opportunity to be heard. Thus, Coke (2 Ins., 46), in commenting on the twenty-ninth chapter of Magna Charta, says: 'No man shall be disseised, etc., unless it be by the lawful judgment; that is, his equals (that is, of men of his own condition), or by the law of the land (that is, to speak it once for all), by the due course and process law.'

* * * * *

"Can it be doubted that due process of law signifies a right to be heard in one's defense? If the legislative department of the Government we to enact a statute conferring the right to condemn the citizen without any opportunity whatever of being heard, would it be pretended that such an enactment would not be violative of the Constitution? If this be true it undoubtedly is, how can it be said that the judicial department, the source and fountain of justice itself, has yet the authority to render that which if done under express legislative sanction would be violative of the Constitution. If such power obtains, then the judicial department the Government sitting to uphold and enforce the Constitution is the one possessing a power to disregard it. If such authority exists then i consequence of their establishment, to compel obedience to law and to enforce justice, courts possess the right to inflict the very wrongs which were created to prevent."

In *Capel vs. Child* (2 *Cromp. & J.*, 558) Lord Lyndhurst, C. B., at page 5 said:

"A party has a right to be heard for the purpose of explaining his conduct; he has a right to call witnesses for the purpose of removing impression made on the mind of the bishop; he has a right to be heard in his own defense. On consideration, then, it appears to me that if the requisition of the bishop is to be considered a judgment, it against every principle of justice that that judgment should be pronounced not only without giving the party an opportunity of adducing evidence, but without giving him notice of the intention of the judge to proceed to pronounce the judgment."

In the case of *Bonaker vs. Evans* (16 Q. 6., 162) the court said (p. 171):

"If it be the latter, then the bishop ought to have given the incumbent an opportunity of being heard before it was issued; for no proposition can be more clearly established than that a man cannot incur the loss of liberty property for an offense by a judicial proceeding until he has had a fair opportunity of answering the charge against him, * * *."

In the case of *Galpin vs. Page* (85 U. S., 350) the court said:

"It is a rule as old as the law, and never more to be respected than that no one shall be personally bound until he has had his day in court which is meant, until he has been duly cited to appear, and has been afforded an opportunity to be heard. Judgment without such citation and opportunity wants all the attributes of a judicial determination; it is judicial usurpation and oppression, and never can be upheld where justice is justly administered."

Judge Cooley, in his *Constitutional Limitations*, at page 353, says:

"Perhaps no definition is more often quoted than that given by Mr. Webs in the *Dartmouth College* case (17 U.S. (4 *Wheat.*), 518); 'By the law land is most clearly intended the general law; a law which hears before in condemns, which proceeds upon inquiry and renders judgment only after trial. The meaning is that every citizen shall hold his life, liberty, property, immunities under the protection of the general rules which govern society

As we stated in our former opinion, a trial is a farce indeed, is no trial at all, if the defendant be not given an opportunity to prepare for trial—which is but another way of saying "an opportunity to be heard." a mockery solemnly to assure him that he has a right to defend by himself and by his witnesses; and then say to him, when, in pursuance of the assurance he demands his trial, "You shall, not have an opportunity to prepare for trial or to produce your witnesses." It goes without saying that the right to a trial without any opportunity to prepare for it is an idle, a fatuous thing.

The argument for the motion, however, does not discuss this question. follows substantially the lines of the dissenting opinion filed in the original case and makes substantially the same points against the prevailing decision. the argument of counsel on the motion and that found in the dissenting opinion lose sight, in our opinion, of the real ground upon which the court based decision. That being the case, the arguments, from one point of view, are necessity beside the point.

The argument of counsel on the motion, as well as that contained in the dissenting opinion, seizes upon the fact of the initial jurisdiction of the Court of First Instance, that is, the jurisdiction of the court over the person of the defendant and the subject matter of the action at the beginning of the trial and makes it decisive of the case at bar. Indeed, the contention is made where a court has once acquired jurisdiction of the person of the defendant and of the subject matter of the motion, habeas corpus can never issue. Says the dissenting opinion:

"Where an inferior court has jurisdiction of the person in a criminal suit, and no writ of error lies in this court, it habeas corpus, review the legality of the proceedings."

Says the brief of counsel on the motion:

"One authority after another was quoted in the original argument in this case to show that the commission of error by a court of final and exclusive jurisdiction cannot be reviewed or corrected in habeas corpus proceedings.

"The true principle of law is that errors committed by a trial court having final appellate jurisdiction of a criminal case do not deprive the court of jurisdiction, and habeas corpus will not lie to review or correct the action of such court.

"It is only upon the theory that the Court of First Instance had no jurisdiction over the defendant in the trial of said case, or over the subject matter case, that this court could have granted the writ of habeas corpus."

The whole burden of these arguments is that the Court of First Instance jurisdiction over the person of the defendant and the subject matter of the action when the trial began. No attempt whatever is made to determine whether the court had jurisdiction at the close. That, which is the very whole case, is taken entirely for granted. No discussion has been presented or argument made as to whether or not the court had authority to enter the judgment which it did enter or to enforce it after it was entered in so far as the initial jurisdiction may be considered as such authority attempt is made to determine whether the defendant was deprived of a constitutional right, or what effect such deprivation, if any, has upon the case. The fact of the original jurisdiction is seized upon as the only point in the case worthy of consideration and upon it are based all of the contentions made against the original decision.

Nobody has denied the initial jurisdiction of the trial court. It has been discussed or even questioned in this court. That jurisdiction has always been freely conceded. The decision of this court rested upon something which occurred after the jurisdiction referred to had attached and after trial had begun. It rested upon the proposition that, while the trial court jurisdiction in the first place, it either lost that jurisdiction during the trial, or so transcended its powers as to render its judgment void. Because a person had a peso in his pocket last week the conclusion does not necessarily follow that he has that peso in his pocket this week. Likewise fact that the trial court had jurisdiction at the time the trial began does necessitate the conclusion that it had jurisdiction when the trial court that it had authority or power to enter a particular judgment or to enforce after it was entered. There are many ways in which a court may lose jurisdiction between the beginning of the trial and the close thereof; and there are many instances in the books where a court has, by its own acts, deprived the result of all legal efficacy and its judgment based thereon of all legal virtue.

This is what occurred in the case at bar. Having been brought before the bar of the court the defendant was driven to trial upon the moment in disregard of his demand for two days to prepare for trial made under section 30 of General Orders, No. 58, which provides that "after his plea the defendant shall be entitled, on demand, to at least two days in which to prepare for trial." The denial of the right to prepare for trial and the consequence forcing of the defendant to his defense without any time whatever for preparation is, under the provisions of our law, equivalent, in our judgment the refusal of a legal hearing. It amounts, in effect, to a complete denial of trial. It was an abrogation of that due process of law which is the embodied procedure of the land, and without which a defendant has, in law, no trial at all.

We stated in our former decision that habeas corpus would lie in certain where constitutional rights were denied to the defendant, even though the court had jurisdiction at the beginning of the cause, or jurisdiction even to decide very question the decision of which destroyed completely the power of the court to enter a judgment of conviction or to enforce it, if entered. We stated that, where a defendant was denied due process of law in a criminal trial, the judgment of conviction resulting from such trial was either a judgment entered without jurisdiction or was

"otherwise a nullity."

In the case of *Windsor vs. McVeigh* (93 U. S., 274), the court held the doctrine "that, where a court has once acquired jurisdiction, it has to decide every question which arises in the cause, and its judgment, however erroneous, cannot be collaterally assailed, * * * is only correct court proceeds, after acquiring jurisdiction of the cause, according to established modes governing the class to which the case belongs, and not transcend, in the extent or character of its judgment, the law applicable to it." Concluding the argument in this case, Mr. Justice Field described clearly the situation in the case before us, as well as that one with which he was dealing, when he said: "By the act of the court the respondent was excluded from its jurisdiction."

To the same effect is the case of *Cornell vs. Williams* (20 Wall., 250), the court said: "The jurisdiction having attached in the case, everything within the power of that jurisdiction, when collaterally quest be held conclusive of the rights of the parties, unless impeached for fraud"

The case of *Hovey vs. Elliott* (167 U. S., 409), substantially holds a defendant out of court after he has been duly brought in leaves the c without any more jurisdiction, than it had before he was brought in, a that a judgment rendered without due process of law is void on collateral attack.

The right of a Federal court to release by habeas corpus a person imprisoned under a judgment of a State court without due process of law is declared and exercised in numerous cases. (*Callan vs. Wilson*, 127 U. S. Re *Lee Tong*, 9 Sawy., 333; see also 6 Sawy., 410, 349; 10 Sawy., 532; 7 Sa 526; 11 Sawy., 447; 12 Sawy., 88, 379; 11 Sawy., 472; 2 Fed. Rep., 624; Rep., 66, 71; *Larkin vs. Ryan*, 70 Wis., 676; *Re Doyle*, 16 R. I., 537; R 4 Kan. App., 292; *Re Durbon*, 10 Mont., 147.)

In the case of *Counselman vs. Hitchcock* (142 U. S., 547) it was substantially that a witness who has a constitutional right under the fi amendment to the Federal Constitution to decline to answer questions beca the answers might tend to criminate him is entitled to discharge by habeas corpus if imprisoned for contempt in refusing to answer. (*Hackley vs. Abb. Pr.*, 150.) In this latter case the remedy was unquestioned but it held that his constitutional rights had not been infringed.

It has been held in several cases that a person sentenced to imprisonment an infamous crime without having been presented or indicted by a grand jury required by the fifth amendment to the Constitution of the United States is entitled to be discharged on habeas corpus. (*Ex parte Wilson*, 114 417; *U. S. vs. De Walt*, 128 U. S., 393; *Re Bain*, 121 U. S., 1; *Ex parte McC* Fed. Rep., 71; *Ex parte Van Vranken*, 47 Fed. Rep., 888.) In the of *Ex parte Wilson* and *Re Bain* the constitutional requirement was declared to be jurisdictional.

In the case of *Ex parte Reynolds* (35 Tex. Crim. Rep., 437) it was that one indicted by a grand jury composed of 14 instead of 12 as the Constitution required, was entitled to be released on habeas corpus.

The unconstitutionality of a statute which violated a bill of rights pro for a plain description of the crime and for protection against furnishing evidence to criminate one's self, and for the right to face witnesses and b heard personally by counsel, was held in *Cunningham vs. Ray* (63 N. 406) a good ground of habeas corpus.

As will be seen from these authorities, the mere fact that the court had jurisdiction of the parties and of the cause at the beginning is n necessarily vital in determining the question whether habeas corpus will release a defendant imprisoned as a result of the trial. All of these with the possible exception of those relating to the lack of presentment grand jury, fully admit the jurisdiction of the court at the beginning of

In our previous decision we asserted that the deprivation of the constitutional right of a trial resulted either in a complete loss of jurisdiction or e the judgment a nullity for some other reason; and that habeas corpus would lie in

either case. This language is vigorously assailed in the a of counsel, it being asserted that, under the statute, jurisdiction is t ground upon, which habeas corpus can issue and that the expression "a null for some other reason," or an equivalent expression, was unwarranted and unprecedented. In using these words we were but following the language used in the decisions of the Supreme Court of the United States.

In the case of *Ex parte Siebold* (100 U. S., 371, 375) the court u language:

"The only ground on which this court, or any court, without some special statute authorizing it, will give relief on habeas corpus to a prisoner conviction and sentence of another court is the want of jurisdiction in such over the person or the cause, or some other matter rendering its proceeding void."

Further on in the opinion the court said:

"The reason of this rule lies in the fact that a habeas corpus proceeding is a collateral attack of a civil nature to impeach the validity a judgment or sentence of another court in a criminal proceeding, and it should, therefore, be limited to cases in which the judgment or sentence attacked is clearly void by reason of its having been rendered without jurisdiction, or by reason of the court's having exceeded its jurisdiction the premises.

"It is said in *Ex parte Royall*, supra, that after a prisoner is convicted of a crime in the highest court of the State in which a conviction could be if such conviction was obtained in disregard or in violation of rights to him by the Constitution and laws of the United States, two remedies are open to him for relief in the Federal courts he may either take his writ error from this court, under chapter 709 of the Revised Statutes, and have case reexamined in that way on the question of whether the State court h denied him any right, privilege, or immunity guaranteed him by the Constitution and laws of the United States; or he may apply for a writ of habeas corpus to be discharged from custody under such conviction, the ground that the State court had no jurisdiction of either his person o offense charged against him, or had, for some reason, lost or exceed its jurisdiction, so as to render its judgment a nullity; in proceeding the Federal courts could not review the action or rulings of State court, which could be reviewed by this court upon a writ of error. as already stated, the circuit court has a discretion as to which of these remedies it will require the petitioner to adopt. This was expressly in *Ex parte Royall*, supra, and has been repeatedly followed since that case."

In the case of *Ex parte Lennon* (166 U. S., 548) the court used th language:

"It is only upon the theory that the proceedings and judgment of the court were nullities that we are authorized to reverse its action

In *U. S. vs. Pridgeon* (153 U. S., 48, 62-63) the court said:

"Under a writ of habeas corpus the (inquiry) writ is addressed errors, but to the question whether the proceedings and the judgment rend therein are, for any reason nullities, and unless it is affirmative the judgment or sentence, under which the petitioner is confined, is void, entitled to his discharge."

Laying aside the questions springing from the significations which the word "jurisdiction" may take on, we may say that a fact that the Federal courts do issue writs of habeas corpus to release persons held under judgment of a court, not only when the judgment was without jurisdiction, but when it denies a right conferred by the Federal Constitution, even if the court had jurisdiction to decide the case. This clearly appears from the decisions heretofore and hereinafter referred t as those where due process of law was. refused, where there was a denial of equal protection of the law, and where there was imprisonment under an unconstitutional statute. (*Ex parte Siebold*, 100 U. S., 371; *Ex parte Virginia* 100 U. S., 339; *Yick Wo vs. Hopkins*, 118 U. S., 356; *Re Medley*, 134 U. S., 160; *vs. Barber*, 136 U. S., 313; *Re Savage*, 134 U. S., 176; *Asher vs. Texas*, 1 129; *Ex parte Royall*, supra; *Ex parte Wall*, 48 Cal., 279; *Ex parte Pitts*, rida, 149; *Re Frazee*, 63 Mich., 396; *Ex parte Rosenblatt*, 19 Nev., 439; *Re N. Y.*, 497; *Re Kline*, 6 Ohio C. C, 216; *Baxter vs. Thomas*, 4 Okla., 605; *Ex Rollins*, 80 Va., 314; *Larkin*

vs. Ryan, 70 Wis., 676; 39 L. R. A., 449.) In these cases it seems clear that the judgments held void were rendered by courts which had jurisdiction to try the issues involved and that their alleged jurisdiction was at most a want of authority or power to decide wrong a constitutional question which they had jurisdiction to decide right.

Be that as it may, however, it is certain that, in either case, i. e., there is a complete lack of jurisdiction, as that term is used by counsel motion, or whether the judgment is an absolute nullity for the other reasons pointed out, the result to the judgment and to the person imprisoned is precisely the same. The judgment is void and the person is illegally rest The word " jurisdiction" as used in our statute is sufficiently broad to cover "power" "and "authority." So that whenever a court transcends its powers exaggerates its authority to such an extent as to render its judgment absolutely void, habeas corpus will lie under our statute. The motion is denied.

Arellano, C. J., Carson and Trent, JJ., concur.

DISSENTING

JOHNSON, J.,

Mr. Schields, the petitioner, had two trial different courts before presenting the petition in the present case for of habeas corpus. He makes no complaint now in this court, nor did make any complaint in the Court of First Instance, that he had not been permitted to present in his defense all of the proof which he had. He makes no allegation, even now, that he had some other proof which he desired to present.

The judgment of the Court of First Instance should stand affirmed.

Motion for rehearing denied.

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.