

Title: Francis H. Jardeleza vs. Chief Justice Maria Lourdes P. A. Sereno, The Judicial and Bar Council (JBC) and Executive Secretary Paquito N. Ochoa, Jr.

Facts:

- The matter originated from the vacancy created by the retirement of Associate Justice Roberto Abad on May 22, 2014. The Judicial and Bar Council (JBC) announced the call for nominations.
- Francis H. Jardeleza, then Solicitor General, was nominated by Dean Danilo Concepcion of the University of the Philippines for the position. After accepting the nomination, Jardeleza became a candidate and underwent the JBC's processes, including a public interview.
- During the JBC's evaluation process, Chief Justice Maria Lourdes P.A. Sereno invoked a rule (Section 2, Rule 10 of JBC-009) against Jardeleza, citing concerns over his integrity related to his handling of an international arbitration case for the government.
- Jardeleza's request for specific charges, the opportunity to cross-examine, and written documentation were not fully met, which led him to file a petition with the Supreme Court, claiming a violation of his constitutional rights to due process.
- Despite securing sufficient votes for nomination, Jardeleza was excluded from the shortlist submitted to the President due to the invoked rule requiring unanimity in cases where a nominee's integrity is questioned.

Issues:

1. The jurisdiction of the Supreme Court to review JBC actions.
2. The applicability and interpretation of Section 2, Rule 10 of JBC-009 concerning the integrity challenge posed against Jardeleza.
3. The availability and requirements of due process within JBC proceedings.
4. Whether Jardeleza should be included in the shortlist of nominees despite the invoked integrity challenge.

Court's Decision:

1. The Supreme Court has jurisdiction under its constitutional supervisory authority over the JBC and the mandate to ensure adherence to due process.
2. The "unanimity rule" when questioning a candidate's integrity was not appropriately applied to Jardeleza's situation. His handling of a legal matter as Solicitor General did not directly relate to his moral character, thus not fitting within the rule's intended scope.
3. The Supreme Court found that Jardeleza was denied procedural due process. Despite the JBC's unique nature, minimum due process requirements must still be observed, specifically the rights to be informed of the charges, to a fair opportunity to respond, and for an

impartial decision-making process.

4. The exclusion of Jardeleza from the nomination shortlist was deemed improper. The lack of due process and incorrect application of the JBC rules led to the conclusion that Jardeleza should have been included in the JBC's shortlist transmitted to the President.

Doctrine:

The decision underscored the doctrine that even within unique or sui generis proceedings like those of the JBC, individuals are entitled to fundamental due process rights, including being made aware of specific charges against them and having a fair opportunity to respond before an impartial body.

Class Notes:

- In assessing eligibility for judicial office, due process must be observed, including notifying candidates of specific charges against them and allowing them a fair opportunity to respond.
- The JBC's rules, especially concerning integrity challenges, must be applied in a manner that respects due process rights.

Historical Background:

This case highlights tensions between the JBC's discretion in nominating judicial officers and the right of candidates to fair consideration under due process. It emphasizes the Supreme Court's role in moderating the procedures of constitutional bodies to ensure adherence to democratic principles, including due process.