

**\*\*Title:\*\***

In re Appointments of Hon. Mateo A. Valenzuela and Hon. Placido B. Vallarta as Judges of RTC Branch 62, Bago City, and RTC Branch 24, Cabanatuan City, Respectively

**\*\*Facts:\*\***

1. **\*\*Pre-Election Appointments:\*\*** On March 9, 1998, the Judicial and Bar Council (JBC) discussed potential constitutional issues with judicial appointments before an upcoming presidential election. Critics questioned these appointments in terms of their constitutionality under Section 15, Article VII of the 1987 Philippine Constitution, which prohibits presidential appointments two months before elections and until the end of the presidential term, except for temporary appointments to executive positions.
2. **\*\*Constitutional Provisions:\*\*** While the general prohibition under Section 15 was acknowledged, Section 4(1) and Section 9 of Article VIII were also considered. These require judicial vacancies to be filled within 90 days, raising questions about potentially conflicting mandates.
3. **\*\*President's Actions:\*\*** Despite JBC discussions, President Fidel V. Ramos signed appointments on March 30, 1998, for Hon. Mateo A. Valenzuela and Hon. Placido B. Vallarta as judges within this banned period.
4. **\*\*Appointments Forwarded:\*\*** The appointments addressed through the Chief Justice were received by the Supreme Court on May 12, 1998. Some argued that the President's appointments might still be valid under the constitutional provision to fill vacancies quickly.
5. **\*\*Judicial Consideration:\*\*** The issue led the Chief Justice to refer the appointments to the Supreme Court for resolution, noting incongruence in constitutional provisions, particularly regarding section 15's potential conflict with judicial appointment imperatives.
6. **\*\*Administrative Case:\*\*** A formal administrative case was considered by the Court en banc. Instructions were given to defer any action by Valenzuela and Vallarta concerning their oaths of office until the issues had been resolved, imposing a limitation on their potential roles to avoid violation of constitutional principles.
7. **\*\*Judicial Response:\*\*** The Office of the Solicitor General, Valenzuela, Vallarta, and the JBC were required to submit comments, providing a formal setting for argument and determination of the interplay between constitutional provisions and appointment actions.

**\*\*Issues:\*\***

1. **\*\*Validity of Appointments During Ban:\*\*** Whether the President could or must appoint judges during the constitutional ban period for appointments immediately preceding a presidential election.
2. **\*\*Conflict Resolution between Constitutional Mandates:\*\*** How to reconcile the general prohibition on appointments in Section 15, Article VII with the specific requirement for filling judicial vacancies within 90 days in Sections 4(1) and 9 of Article VIII.
3. **\*\*Extent of Presidential Powers\*\*:** Whether an exception should be made for judicial appointments amid an election-related ban, considering the mandatory 90-day filling provision within the judiciary.

**\*\*Court's Decision:\*\***

1. **\*\*Appointments Held Void:\*\*** The Supreme Court declared the appointments void, emphasizing strict adherence to Section 15, Article VII. Thus, the President cannot appoint judiciary members during the prohibited period, reinforcing that the ban, once in every six years, took precedence over the duty to fill vacancies rapidly.
2. **\*\*Separation of Powers and Functional Obligations:\*\*** The Court decided not to strain the prohibition to accommodate the automatic 90-day window for judicial vacancies, underscoring the comprehensive nature of the prohibitive mandate which is crucial for the independence of future government formation processes.
3. **\*\*Principle of Judicial Restraint:\*\*** The Judiciary refrained from endorsing any appointments during the election period to remove any perceived or potential impacts of 'midnight appointments' aimed at influencing election results or tying the hands of incoming administrations.

**\*\*Doctrine:\*\***

1. **\*\*Election Ban Applies to Judiciary Appointments\*\*:** The election ban stipulated in Section 15, Article VII extends unequivocally to all non-temporary appointments, including those to the judiciary.
2. **\*\*Principle Against Midnight Appointments\*\*:** Reinforces the Aytona doctrine against 'midnight appointments' and extends it under specific constitutional language to judicial as

well as executive roles, to ensure incoming administration's freedom to operate unfettered by immediate predecessor's fast-tracked appointments.

**\*\*Class Notes:\*\***

- **\*\*Election Ban Scope\*\***: Comprehensive scope; includes judiciary unless temporary and required for public service contingency.
- **\*\*Conflict of Provisions\*\***: Central conflict between general appointment prohibition and specific vacancy-filling mandates - resolved in favor of prohibitions to protect election integrity.

**\*\*Historical Background:\*\***

The case emerges out of a need to assert constitutional safeguards in transitional phases of executive power, embodying the judiciary's critical role in equitable power dynamics. The scenario mirrors historical checks, such as the *Aytona v. Castillo* case during the transition from President Garcia to Macapagal, illustrating foundational concerns about 'midnight appointments' seen as undermining democratic election outcomes.