

OCA CIRCULAR No. 44-2013, March 18, 2013

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TO : ALL JUDGES AND COURT PERSONNEL

SUBJECT:

AMENDMENT OF OCA CIRCULAR NO. 74-2010-GUIDELINES IN THE SUBMISSION OF APPLICATIONS FOR APPOINTMENT IN THE LOWER COURTS

To expedite the processing and filling of vacant positions. Item Nos. 2, 3, 4 and 5 of OCA Circular No. 74-2010, dated 21 May 2010, are hereby amended to read as follows:

2. The notice of vacancy shall be posted in three (3) conspicuous places in the court's premises and in other public places for at least ten (10) calendar days. It shall include the qualification standards for the position and the checklist of requirements prepared by the OAS-OCA, necessary for the evaluation of the application. Within one (1) month from the expiration of the ten (10) day period for posting, the applicant/s shall submit the requirements to the judge where the vacancy exists.

3. All applications, together with the complete or incomplete requirements received by the Executive Judge/Presiding Judge, shall be indorsed to the OAS-OCA within ten (10) days after the lapse of one (1) month from the expiration of the ten-day period of posting. The indorsement shall be accompanied by a certification, under oath, by the Executive Judge/Presiding Judge that the list submitted contains the name/s of all applicant/s who applied for the position. The date of mailing shall be the determining factor to consider whether the indorsement was sent after the one-month period. For application/s personally filed before the OAS-OCA, the date of receipt by the OAS-OCA is the controlling factor.

4. All application/s directly filed with the OAS-OCA personally or sent through mail within the one-month period, shall be referred to the Executive Judge or Presiding Judge for comment and/or appropriate action within five (5) days from receipt of the application/s. The Executive Judge/Presiding Judge shall provide the applicant/s with a checklist of requirements to be submitted to the OAS-OCA after the same period of one (1) month following the expiration of the ten-day period for posting. Thereafter, the OAS-OCA shall evaluate all the applications and shall submit the list to the Selection and Promotion Board-Lower Courts (SPB-LC) within fifteen (15) days. Those with incomplete form or lacking requirement/s shall be included in the list to be submitted to the SPB-LC with a notation as to the lacking form or requirement/s. If after assessment of competence and qualification of candidates, the applicant found by the SPB-LC to be the most qualified for the position applied for has incomplete form and/or lacking requirement/s, the SPB-LC shall require the said applicant to accomplish the incomplete form and/or to submit the lacking requirement/s.

5. All application/s received from the OAS-OCA or personally filed with the Executive Judge/Presiding Judge after the aforesaid one-month period may still be endorsed by the Executive Judge/Presiding Judge to the OAS-OCA for submission to the SPB-LC. The name/s of the aforesaid applicant/s shall be included in the list

of candidate/s as long as the resolution containing the list of candidate/s has not yet been submitted to the Court by the SPB-LC. A notation that the aforesaid application/s was/were submitted after the one-month period shall be indicated.

Before transmitting the documentary requirements of the applicant/s to the OAS-OCA, the Executive Judge/Presiding Judge, through the Clerk of Court, should make sure that all the documents provided in the checklist of requirements have been properly accomplished and submitted by the applicant/s. Documents which require the signature of the Presiding Judge/Executive Judge and/or the Clerk of Court must be duly signed by said officials. Those documents which will not be signed by them shall be included in the list of lacking requirements of the applicant/s. Refusal by the concerned official to sign the document will not, however, cause the disqualification of the applicant/s concerned. On a case to case basis, his/her application will still be given due course after notice to the OAS-OCA of such refusal to sign.

For the information and guidance of all concerned. This circular shall take effect immediately.

Issued this 18th day of March 2013.

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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