

REORGANIZING THE SELECTION AND PROMOTION BOARD FOR THE LOWER COURTS (SPB-LC)

SC ADMINISTRATIVE CIRCULAR NO. 42- 2001, August 13, 2001

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WHEREAS, pursuant to Section 9, Rule VI of the Omnibus Rules implementing Book V of Executive Order No. 292, otherwise known as the "Administrative Code of 1987," a Selection and Promotion Board for the lower courts other than the Court of Appeals, the Sandiganbayan and the Court of Tax Appeals, was created under Administrative Order No. 64-93 dated 30 April 1993, which was amended by Administrative Order No. 64-93 A dated 27 July 1994;

WHEREAS, the said Selection and Promotion Board for the Lower Courts hereafter (SPB-LC) is tasked to assiduously study and screen applications for positions in the lower courts, and thereafter, make recommendations thereon to the Supreme Court for approval;

WHEREAS, it has been observed that regular members designate representatives to attend the meetings, which practice is not conducive to the best interest of the Board as the representatives designated may not possess the necessary background on the selection process for which the regular members have been selected;

WHEREFORE:

I. Administrative Circular No. 64-93A dated 27 July 1994 is hereby amended and the existing SPB-LC is reorganized with the following composition:

Chairman

- The Court Administrator

Vice-Chairman

- The Most Senior Deputy Court Administrator

Members

- Representative from the Office of the Chief Justice
- The Head of the Office of Administrative Services of the Office of the Court Administrator

- Two (2) Representatives of the Philippine Association of Court Employees

One (1) from the 1st level positions and one (1) from the 2nd level positions, who shall serve only as such representative for a period of two (2) years. Both representatives shall participate only in the screening of candidates for vacancies in the level which they represent.

Secretary- Recorder

To be designated by the Chairman

Asst. Secretary- Recorder To be designated by the Chairman

II. Specially, the SPB-LC shall act on the following:

- When an applicant who is not yet in the service is recommended to a vacant position and there are qualified applicants thereto who are already in the service;
- When more than one (1) applicant for the same position are recommended by the Presiding Judge;
- When an applicant recommended by the Acting Presiding Judge in his designated court is different from the recommendee of the permanent judge therein who is detailed to another court;
- When an applicant recommended by the Acting Presiding Judge or by the regular Presiding Judge detailed in another court is different from the recommendee of the Executive Judge;
- When the recommendee of a judge is objected to by a co-employee of the nominee belonging to the same court; and
- Such other matters as may be referred to the SPB-LC for resolution.

The recommendee of the Presiding Judge shall be given priority only if said applicant-recommendee possesses superior qualifications than, or is at least equally qualified as, the other applicants.

III. The SPB-LC shall meet at least once a month to consider applications for initial employment or promotion. In default of the Chairman, the Vice-Chairman shall preside at the meeting.

IV. The resolution of the SPB-LC shall be in the prescribed format, to be signed by all those who participated thereon and to be; submitted to the Office of the Chief Justice within ten (10) days from its approval by the Board.

V. The members of the SPB-LC shall not be allowed to designate or delegate authority to a representative.

VI. The Chairman, Vice-Chairman, Members, Secretary and Asst. Secretary shall receive the expense allowances presently authorized.

This Administrative Circular shall take effect on the fifteenth day of September 2001.

The Philippine Association of Court Employees (PACE) shall submit to the Office of the Chief Justice its By-Laws and the CSC/BLR accreditation not later than 30 September 2001.

Issued this 13th day of August 2001..

(Sgd.) HILARIO G. DAVIDE, JR.

Chief Justice

(Sgd.)JOSUE N. BELLOSILLO

(Sgd.)JOSE A.R. MELO

Associate Justice

Associate Justice

Chairman, Second Division

Chairman, Third Division

(By virtue and pursuant to A.M. No. 99-1-05-SC and A M. No. 99-12-08-SC)

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