

OCA CIRCULAR NO. 29-2003, March 21, 2003

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TO:

TO ALL EXECUTIVE JUDGES AND PRESIDING JUDGES OF 1st AND 2nd LEVEL COURTS

SUBJECT:

IMPLEMENTATION OF THE PERFORMANCE COMMITMENT AND EVALUATION SYSTEM FOR 1st AND 2nd LEVEL JUDGES

In line with the policy of the Supreme Court of improving the delivery of judicial services and upgrading the leadership and administrative capabilities of judges, the Office of the Court Administrator established the PERFORMANCE COMMITMENT AND EVALUATION SYSTEM FOR 1st AND 2nd LEVEL JUDGES. The program creates a new system of evaluating the work aptitudes, work ethics, courtroom semantics and communication techniques of trial court judges.

The system entails the accomplishment of the Performance Commitment and Evaluation Form (see attached form) composed of two (2) parts - Part I involves setting of one (1) goal by the judge per each of the five (5) performance standards which he commits to accomplish within the six (6) month rating period indicated and Part II pertains to eleven (11) factors relating to leadership qualities expected of a judge.

The rating of the judge's performance is for a six-month period (January to June; July to December). The rating for the first (1st) semestral period shall be accomplished in July while the rating for the second (2nd) semestral period shall be made in January of the succeeding year.

For the initial implementation of the commitment and evaluation system, the ratees shall be furnished with copies of the performance commitment and evaluation form by the Executive Judges and the Office of the Court Administrator.

For the initial phase of the implementation, the ratee is required to list the goals or objectives he intends to attain within the second (2nd) semestral period (June 1, 2003 to December 31, 2003). The ratee shall then meet with the rater, and discuss the merits and doability of the proposed goals of the latter. Once the goals are set and agreed upon, the rater shall submit the accomplished form to the Office of the Court Administrator not later than June 30, 2003. In January of 2004, the ratee shall accomplish the commitment and evaluation form indicating therein the goals to be accomplished for the first (1st) semester of 2004 and stating whether the goals for the second (2nd) semester of 2003 were met. The ratee shall discuss the outcome of his performance for the second (2nd) semester of 2003, after which, the ratee shall be rated by the rater in accordance with the point system indicated in Part I of the evaluation forms.

After accomplishing the form, the same shall be promptly returned to the Office of the Court Administrator not later than January 31, 2004.

21 March 2003 Untitled Document

PRESBITERO J. VELASCO, JR.

Court Administrator

PERFORMANCE COMMITMENT AND EVALUATION FORM FOR 1[st] AND 2[nd] LEVEL JUDGES

The Performance Commitment and Evaluation Form is composed of two parts. Part I enumerates the five (5) performance areas in connection with which each judge pledges to accomplish one (1) goal per performance standard (TCPS) during the six (6) month rating period indicated. Before the start of the rating period, judges should fill in specific targets and time frames for accomplishment thereof. The commitments shall be the basis in evaluating the performance of the judge at the end of the rating period. The reports and minutes of the monthly meetings of the Judicial Service Team (JST) submitted to the Office of the Court Administrator shall be among the means by which compliance with commitments shall be determined.

Part II shall refer to eleven (11) factors pertaining to the leadership qualities of the judge. Ratee shall be rated based on four (4) characteristics per factor for which specific points have been assigned. The results of Part I and Part II shall constitute the ratee's over-all performance for the rating period.

The persons who will rate the judges are as follows:

- Regional Trial Courts:

- a. In multiple-sala Regional Trial Courts, Presiding Judges, shall be rated by their respective Executive Judges.
- b. Presiding Judges of single-sala Regional Trial Courts shall be rated by the Executive Judge in the province to be designated by the Court Administrator.
- c. Executive Judges shall be rated by the Deputy Court Administrator with jurisdiction over their station.

- Metropolitan Trial Courts and Municipal Trial Courts in Cities:

- a. In multiple-sala Metropolitan Trial Courts and Municipal Trial Courts in Cities, Presiding Judges shall be rated by their respective Executive Judges.
- b. Executive Judges shall be rated by the Deputy Court Administrator with jurisdiction over the stations involved.

- Municipal Trial Courts and Municipal Circuit Trial Courts:

- a. Presiding Judges of the Municipal Trial Courts and Municipal Circuit Trial Courts shall be rated by the Executive Judges of the Regional Trial Courts with jurisdiction over the stations involved.

The rating of the judge's performance is for a six-month period (January to June; July to December)

PART I

INSTRUCTIONS:

- The Judge shall list the objectives he intends to attain within the six (6) month rating period.
- The suggested objectives shall be discussed by the ratee with the rater and once approved, then the conformity of the ratee shall be made.
- A copy of the accomplished form shall be submitted by the rater to the OCA within ten (10) days from date of accomplishment.
- After the 6-month period, the rater shall determine whether the goals of the ratee were attained. During said rating, the ratee shall again list down the objectives to be attained for the next 6-month period.
- The rater shall rate the ratee as follows:
 - a. 4 points per goal for outstanding performance
 - b. 3 points per goal for very satisfactory performance
 - c. 2 points per goal for satisfactory performance
 - d. 1 point per goal for unsatisfactory performance
- 6. The points earned shall be added and the total number of points shall be divided by the number of performance standards. Convert to adjective rating using the conversion table.

Illustration:

1. Access to Justice goal — 3
2. Public Trust and Confidence goal — 1
3. Independence and Accountability goal — 2
4. Expedition and Timeliness goal — 1
5. Equality, Integrity and Fairness goal — 2

Add points earned - TOTAL =

9

Divide by the no. standards Conversion Table: $9/5 = 1.8$

Conversion Table:

1 -1.75

— Unsatisfactory

1.76-2.50

— Satisfactory

2.51-3.25

— Very Satisfactory

3.26-4

— Outstandaing

Rating Part I

Total Point Score: 1.8 Adjective Rating: Satisfactory

OBJECTIVES OF RATEE

(For the rating period from _____ to _____)

I. Access to Justice

-

II. Public Trust and Confidence

-

III. . Independence and Accountability

-

IV. Expedition and Timeliness

-

V. Equality, Fairness and Integrity

-

(Please use extra sheet if necessary)

Based on the realization of the commitments, please rate judge's performance per goal as Outstanding, Very Satisfactory, Satisfactory and Unsatisfactory.

COMMITMENTS OF RATEE FOR NEXT RATING PERIOD

(Covering the period from _____)

TIME FRAME FOR EACH GOAL

1. Access to Justice

1.

2. Public Trust and Confidence

1.

3. Independence and Accountability

1.

4. Expedition and Timeliness

1.

5. Equality, Integrity and Fairness

1.

(Please use extra sheet if necessary)

Conforme:

Judge

(Please use the description of the scope of each performance standard attached hereto as Annex A.)

PART II:

INSTRUCTIONS:

- Rate the judge's performance for the period only.
- Under each factor in the rating form are four (4) characteristics. Each characteristic has a point equivalent of 1,2,3, or 4, as the case may be.
- Read the statements under each factor very carefully. Select the one which most nearly describes the ratee being rated. Check the appropriate box in ink. Do the same for each of the eleven factors. Add the point equivalents earned under each factor then divide by 11. Convert this to adjective rating, using the conversion table.
- The point score and its equivalent adjective rating shall be indicated later on the spaces provided in this rating form. The rater shall sign the form on the space indicated and write the date when rating was made. Base your rating on facts not on mere impressions. The best way to obtain correct facts is to constantly and carefully observe the judge's general performance during the whole rating period not just later week or last month.
- Base your rating on facts on mere impressions. Thje best way to obtain correct facts is to constantly and carefully observe the judge's general performance during the whole period not just later week or last month.
- Adopt a definite standard for comparison of judges in your unit doing similar and/or allied work.
- Take plenty of time to rate the judge. Do not be influenced by prejudice or pity. The efficiency of his court depends largely on your fair appraisal of the ratee. Do not overrate your friends nor underrate those unfriendly to you. Be impartial and do not discriminate.

1. ORGANIZATIONAL ABILITY:

Does he know how to plan activities, delegate delegable tasks and follow-up work in his court station?

How does he organize his work?

a.

Cannot plan or organize his work. Allows things to run their course. Does not want to delegate; prefers to do the job himself.

b.

Organizational ability is adequate for his present work. Normally delegates and checks work assigned to employees.

c.

Organizes his work very well. Usually does most urgent tasks first. Delegates properly and follows-up work assigned.

d.

Plans and organizes his job exceptionally well. Delegates intelligently and always sees to it that approved plans and instructions are carried out properly.

2. LEADERSHIP

Is he a leader whom employees will naturally follow?

Does he command confidence and inspire those who work with him?

a.

Lacks leadership quantities.

b.

Leadership qualities just adequate.

c.

Easily gets cooperation of his employees. A very good leader. Naturally accepted by subordinates.

d.

Outstanding leader. Accepted by subordinates without question. Maintains the morale of the employees at high level.

3. ABILITY TO MAINTAIN DISCIPLINE:

Can he maintain discipline in his court station?

Has he strong control over his employees?

a.

Cannot control his subordinates.

b.

Normally able to maintain discipline in his station.

c.

Maintains good discipline. Has good control over his personnel.

d. Maintains discipline exceptionally well. Has complete control over his personnel.

4. CHARACTER AND INTEGRITY:

Is he intellectually honest and loyal?

Is he a person of high principles?

Will he defend what he thinks is right?

a.

Lacks courage. Easily swayed.

b.

Normally truthful and loyal.

c.

Honest and upright. Defends what he thinks is right.

d. Has exceptionally high personal and moral standards, outstanding courage, integrity and firm conviction.

5. COOPERATION:

Does he get along well with other judges?

Is he willing, courteous and tactful?

a.

Cooperates reluctantly.

b.

Gives average cooperation.

c.

Usually cooperates willingly.

d. Always very cooperative. Gets along exceptionally well with other judges.

6. ABILITY TO EXPRESS IDEAS:

How successful is he in clearly presenting the results of his activities, orally or in report form?

a.

Finds difficulty in communicating his thoughts.

b.

Has an average command in English. Average ability to convey his thoughts and ideas.

c

Has good command of English and able to express himself well.

d. Superior ability to express his thoughts in clear, concise and convincing manner.

7. DEPENDABILITY:

Can he be depended upon to carry out directives from the Supreme Court and Office of the Court Administrator, be on the job, fulfill responsibilities and gets results?

a.

Not fully dependable. Tries to do what he is supposed to, but sometimes fails.

b.

Can normally be relied upon to fulfill job demands.

c.

Dependability above normal. Can be relied upon to perform job satisfactorily under most circumstances.

d. Exceptionally dependable under all circumstances. Does a superior job even under periodic or continuous pressure

8. WORK KNOWLEDGE:

Does he know and understand the nature and details of his work as a judge? Is his knowledge sufficient for him to perform his job well and supervise his personnel effectively?

a.

Knowledge and understanding of the work are sufficient. Needs a lot of guidance and reminders.

b.

Knowledge and understanding of the work are adequate to carry on normal supervision.

c. Has thorough knowledge and understanding of almost all phases of his work.

d. Has exceptional mastery and understanding of all phases of his work.

9. DECISION MAKING ON NON-JUDICIAL FUNCTIONS:

Extent to which decisions and actions are based on facts, sound reasoning and weighing of outcomes.

a. Decisions at times not entirely adequate.

b. Normally able to interpret facts and arrive at correct decisions.

c. Judgment almost always reliable even on important and complex matters.

d. Has outstanding ability to pick out facts and arrives always at the sound decision even on important and complex matters.

10. INNOVATION:

To what extent does he make contribution to improve present methods or add to existing knowledge?

a. Makes no attempt to improve the work of his station.

- b. Exerts normal efforts to improve work of his station. Normally tries out new methods and procedures.
- c. Active imagination, works out new methods and procedures.
- d. Exceptionally active imagination, always working on new ways and methods.

11. PUNCTUALITY AND ATTENDANCE:

- a. Habitual absentee; often late for work. Shows little concern for time lost from work.
- b. Attendance is average.
- c. Very good attendance on the job. Seldom absent or late for work.
- d. Perfect attendance on the job. Exceptionally punctual in observing work hours, break periods, etc.

Illustration:

Performance Rating For Judges (Part II)

1.

Illustration

- a. 1 point
- b. 2 points
- 3
- c. 3 points
- d. 4 points

2.

- a. 1 point
- b. 2 points

2

- c. 3 points
- d. 4 points

3..

- a. 1 point

b. 2 points

2

c. 3 points

d. 4 points

4.

a. 1 point

b. 2 points

3

c. 3 points

d. 4 points

5.

a. 1 point

b. 2 points

3

c. 3 points

d. 4 points

6.

a. 1 point

b. 2 points

3

c. 3 points

d. 4 points

7.

a. 1 point

b. 2 points

2

c. 3 points

d. 4 points

8.

a. 1 point

b. 2 points

2

c. 3 points

d. 4 points

.

9. a. 1 point

b. 2 points

2

c. 3 points

d. 4 points

10.

a. 1 point

b. 2 points

2

c. 3 points

d. 4 points

11.

a. 1 point

b. 2 points

1

c. 3 points

d. 4 points

TOTAL POINT SCORE = 25

$25/11 = 2.27$

CONVERSION TABLE

TOTAL POINT SCORE

ADJECTIVE RATING

1 -1.75 —

Unsatisfactory

1.76-2.50 —

Satisfactory

2.51-3.25 —

Very Satisfactory

3.26-4 —

Outstanding

Rating for Part II

Point Score: 2.27 Adjective Rating: Satisfactory

COMPUTATION OF OVER-ALL PERFORMANCE

For the determination of the overall-performance of ratee based on Part I and II, add the point scores obtained in the two ratings and divide it by two. Convert this to adjective rating, using the conversion table

Illustration:

Part I - 1.8

Part II- 2.27

Total Point Score: $4.07 / 2 = 2.03$

Adjective Rating : Satisfactory

Received by: _____

Signature of Rater: _____

Designation: _____

Date: _____

Signature of Ratee: _____

Date: _____

Note:

The performance form shall be accomplished in triplicate. One copy shall be given to the ratee and one copy shall be kept in the confidential file of the Office of the Executive Judge or the Deputy Court Administrator in charge of the ratee. The original shall be forwarded to the Office of the Court Administrator.

Trial Court Performance Standards And Measurement System

Guiding the Courts Into the Future

PERFORMANCE STANDARDS:

FIVE KEY AREAS (APIEE)

- Access to Justice
- Public Trust and Confidence
- Independence and Accountability
- Expedition and Timeliness
- Equality, Fairness and Integrity

ACCESS TO JUSTICE

- The trial court conducts its proceedings and other public business openly.
- Trial court facilities are safe, accessible, and convenient to use.
- The trial court gives all who appear before it the opportunity to participate effectively, without undue hardship or inconvenience.
- Judges and other trial court personnel are courteous and responsive to the public and accord respect to all with whom they come into contact.
- The costs of access to trial court proceedings and records — whether measured in terms of money, time or the procedures that must be followed — are reasonable, fair and affordable.

INDEPENDENCE AND ACCOUNTABILITY

- The trial court maintains its institutional integrity and observes the principle of comity in its governmental relations.
- The trial court responsibly seeks, uses, and accounts for its public resources.
- The trial court uses fair employment practices.
- The trial court informs the community about its programs.
- The trial court anticipates new conditions and emergent events and adjusts its operations as necessary.

EXPEDITION AND TIMELINESS

- The trial court establishes and complies with recognized guidelines for timely case processing while, at the same time, keeping current with its incoming caseload.
- The trial court disburses funds promptly, provides reports and information according to required schedules, and responds to requests for information and other services on an established schedule that ensures their effective use.
- The trial court promptly implements changes in law and procedure.

EQUALITY, FAIRNESS, AND INTEGRITY

- Trial court procedures faithfully adhere to relevant laws, procedural rules, and established policies :
- Trial courts give individual attention to cases, deciding them without undue disparity among like cases and upon legally relevant factors.
- The trial court renders decisions that unambiguously address the issues presented to it and clearly indicate how compliance can be achieved.
- The trial court takes responsibility for the enforcement of its orders.
- Records of court decisions and relevant actions are accurate and properly preserved.

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