

OCA CIRCULAR NO. 47-2011, April 01, 2011

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TO :

ALL JUDGES AND COURT PERSONNEL OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT:

PROHIBITION AGAINST SOLICITATION FOR CONTRIBUTIONS BY COURT PERSONNEL

Reports had reached this Court that despite prohibition, solicitations for contributions/donations by court personnel from lawyers and litigants remain rampant.

Accordingly, all court personnel of the first and second level courts are hereby REMINDED to strictly observe the mandate of (a) Section 2, Canon I and Section 2(e), Canon III of Administrative Matter No. 03-06-13-SC (Code of Conduct for Court Personnel) on improper solicitation; and (b) Circular No. 4-91 dated 31 May 1991 (Re: Letter-Complaint Against Solicitations for Contributions by Court Personnel)/ to quote:

"Xxx

Henceforth, all personnel of the lower courts under the administrative supervision of the Office of the Court Administrator are strictly enjoined from making any form of solicitation for contributions as it is strictly prohibited by law.(emphasis supplied)

Consequently, all those found soliciting for and/or receiving contributions, in cash or in kind, from any person, whether or not a litigant or lawyer, will be dealt with severely in accordance with the sanctions prescribed by law."

Further, all court personnel are reminded that committing improper solicitation is an offense which merit a grave penalty. Under Section 52(A) (11) of Rule IV of the Uniform Rules on Administrative Cases in the Civil Service, dismissal is the penalty for improper solicitation at the first offense. Section 58(a) of the same Rule provides that the penalty of dismissal shall carry with it the cancellation of eligibility, forfeiture of retirement benefits, and perpetual disqualification of reemployment in the government service, unless otherwise provided in the decision.

1 April 2011.

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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