

OCA CIRCULAR NO. 49-2003, May 20, 2003

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TO:

ALL JUDGES AND COURT PERSONNEL

SUBJECT:

GUIDELINES ON REQUESTS FOR TRAVEL ABROAD AND EXTENSIONS FOR TRAVEL/ STAY ABROAD

Unless otherwise provided by the Supreme Court, the following guidelines shall apply to requests for travel or extensions for stay abroad by judges and personnel of the lower courts.

A. TRAVEL ABROAD ON OFFICIAL TIME/ OFFICIAL BUSINESS

Requests for travel abroad on official time and/or official business shall comply with the requirements set forth in A.M. 96-3-06-O dated 19 March 1996. These are:

- Applicant's request for permission to travel abroad on official time/business shall be filed with the Office of the Court Administrator (OCA) at least fifteen (15) days before the date of travel and shall:

- (a) state the purpose of the trip and its duration, the itinerary and the benefits expected to be derived therefrom;
- (b) show that the purpose of the travel is related to his work or official function;
- (c) state the number of times applicant has traveled abroad on official business/official time, as well as the purpose and the inclusive period of said trips, within the past three years of his service in the judiciary;
- (d) verified statement of the applicant's cases submitted for decision.

- Requests from judges of the Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts and Municipal Circuit Trial Courts shall be favorably endorsed by their Executive Judges. Likewise, requests from personnel of these courts shall be favorably endorsed by their respective clerks of court and approved by their Executive Judges.

- The applicant shall submit to the Court within thirty (30) days from his return a written report about the program. Failure of official/ employee to comply with this requirement shall bar him from entitlement of this benefit.

- The "official business" status entitles the official/personnel concerned to his salary, per diems and allowances granted under COA rules. "Official time" status entitles the official concerned to his salary for the duration of his travel and period of travel shall not be deducted to his leave credits.

B. VACATION LEAVE TO BE SPENT ABROAD

Pursuant to the resolution in A.M. No. 99-12-08-SC dated 06 November 2000, all foreign travels of judges and court personnel, regardless of the number of days, must be with prior permission from the Supreme Court through the Chief Justice and the Chairmen of the Divisions.

- Judges and court personnel who wish to travel abroad must secure a travel authority from the Office of the Court Administrator. The judge or court personnel must submit the following:

(a) For Judges:

- application or letter-request addressed to the Court Administrator stating the purpose of the travel abroad
- application for leave covering the period of the travel abroad, favorably recommended by the Executive Judge
- certification from the Statistics Division, Court Management Office, OCA as to the condition of the docket

(b) For Court Personnel:

- application or letter-request addressed to the Court Administrator stating the purpose of the travel abroad
- application for leave covering the period of the travel abroad, favorably recommended by the Presiding Judge or Executive Judge
- clearance as to money and property accountability
- clearance as to pending criminal and administrative case filed against him/her, if any
- for court stenographer, clearance as to pending stenographic notes for transcription from his/her court and from the Court of Appeals
- Supreme Court clearance
- Complete requirements should be submitted to and received by the Office of the Court Administrator at least two weeks before the intended period. No action shall be taken on requests for travel authority with incomplete requirements. Likewise, applications for travel abroad received less than two weeks of the intended travel shall not be favorably acted upon.
- Applications or requests for the extension of the period to travel/ stay abroad should be submitted and received by the Office of the Court Administrator ten (10) working days before the expiration of the period covered by the original or previous permission or authority. Requests for extension of travel/stay abroad received after the said period had already lapsed shall not be entertained. The leave spent shall then be considered as unauthorized leave of absence.
- Judges and personnel who shall leave the country without travel authority issued by Office of the Court Administrator shall be subject to disciplinary action.
- Any violation of the leave laws, rules or regulations, or any misrepresentation or deception in connection with an application for leave shall be a ground for disciplinary action (Sec. 67, Omnibus Rules on Leave).

This circular shall take effect immediately.

__20 May_____, 2003.

PRESBITERO J. VELASCO, JR.

Court Administrator

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