

## REVOKING CERTAIN PROVISIONS OF ADMINISTRATIVE CIRCULAR NO. 44-20041

*SC ADMINISTRATIVE CIRCULAR NO. 77-2014, October 21, 2014*

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Considering that the economic circumstances that necessitated the issuance of Administrative Circular No. 44-2004[2] are no longer prevailing, and since many provisions contained therein are now anachronistic to the demands of a modern and reform-oriented judiciary, the following paragraphs of said Circular are hereby REVOKED, effective immediately:

"B. Filling up of Vacant Positions

No vacant positions in the plantilla of the courts of all levels shall be filled up except (a) judicial positions, (b) those in the offices of the Chief Justice and Associate Justices, or (c) when warranted by the exigency of the service or the need to strengthen further the capacities, effectiveness and efficiency of offices as part of the APJR.

This provision shall not apply to vacant positions already declared open for filling-up and applicants for which have already been considered by the Selection and Promotions Boards for the Supreme Court and for the Lower Courts."

"C. Creation of New Positions

No new positions may be created unless justified by a compelling need therefor in order not to prejudice the effective and efficient delivery of justice or to hamper the pursuit of the goals of the APJR."

"D. Overtime Service

Effective 15 September 2004, no more overtime work with pay shall be allowed except (a) when so required by the Chief Justice or Associate Justices but only for a maximum of three personnel for each of their offices; (b) for the official drivers of the Chief Justice and the Associate Justices; and (c) when work has to be done even beyond office hours due to compelling reasons or in emergency situations."

"E. Hiring of Casual Employees

Effective immediately, and subject to the last sentence of the succeeding paragraph, no new casual employees shall be hired.

Upon the expiration of the appointments of incumbent casual employees in the Supreme Court, no extension or renewal thereof shall be allowed unless the appointees' services are extremely and urgently needed in the highest interest of public service: Provided that at most only sixty percent (60%) of the present casual employees may be retained effective January 2005, and provided, further, that their performance ratings for the immediately preceding six (6) months are at least very satisfactory. Should there be a need to appoint new casual employees to replace those whose appointment could not be extended or renewed because of failure to score a very satisfactory performance rating, new casuals may be appointed, provided, however, that the maximum limit herein fixed starting January 2005 shall not be exceeded."

"F. Hiring of Consultants and Contractual Laborers

(1) The consultancy contracts of incumbent consultants shall no longer be renewed upon their expiration unless there is an absolute necessity for the continuation of their service either because (1) their work cannot be done by the organic personnel of an office, or (2) it is a requirement under a grant or loan agreement.

No new consultant shall be hired, except when required under a grant or loan agreement for a program or project covered by the APJR.

(2) The number of laborers or those covered by contracts for services in the Supreme Court should be reduced by at least forty percentum (40%). The head of the Maintenance Division shall submit a list of at most the 60% who may be retained. Only those who have been rendering very satisfactory in the immediately preceding six (6) months may be retained."

#### "H. Creation of Committees

No more committees or task forces shall be created except (1) when urgently needed as determined by the Chief Justice, or (2) when required to expedite the implementation of a program or project under the APJR."

#### "J. Seminars, Workshops, or Conferences

For CY 2005, workshops, thinkshops, seminars, conferences, or other similar activities funded from the regular appropriations or from savings shall be limited only to those which are extremely or urgently necessary in relation to a specific program, project, or activity of the Judiciary, subject to the approval of the Chief Justice. If funded from (a) grant or loan, they may (be) conducted or held pursuant to the terms and conditions of the grant or loan at least the counter-part cost to the Judiciary (sic).

For the rest of CY 2004, workshops, thinkshops, seminars or conferences which have already been scheduled must be re-evaluated as to their necessity and urgency. Only those whose cancellation would greatly affect the timetable for the effective implementation of a program, project, or activity may be conducted.

In this regard, the chiefs or heads of offices who have already scheduled workshops, thinkshops, seminars or conferences must submit to the Chief Justice not later than 30 September 2004, a revised schedule in compliance with the criteria herein provided."

#### "K. Meetings

Unless warranted by justifiable cause, the holding of luncheon meetings should be avoided. Service of light snacks is sufficient."

#### "L. Travels

##### 1. Foreign Travels

The only foreign travels that may be allowed are those of Members or personnel of the Judiciary for the purpose of attending international conferences, seminars, trainings or the like which are funded by the organizers or sponsors of the international program; or by the Supreme Court with respect to programs, projects, or activities under the APJR: provided that, in either case only 50% of the daily allowance and of the representation allowance authorized under Joint Resolution No. 2 of the CFAG, or any amendment thereto, shall be granted; and provided, further, that no clothing and pre-departure allowances under Joint Resolution No. 4, or any amendment thereto, shall be given."

In order to reflect the current and realistic requirements of the service, updated guidelines on the foregoing revoked provisions shall be issued forthwith. In the meantime, related requests for the same following the issuance of this Order, shall be processed on a case-to-case basis by the Office of the Chief Justice.

The revocation of the above-stated provisions of Administrative Circular No. 44-2004 shall not, until further

notice, affect existing memoranda and circulars referred to in the said Circular, particularly with respect to strict observance of official time; use of SC vehicles, fuel consumption, and automotive maintenance services; emergency purchases; and use of equipment and supplies for official purposes.

Issued this 21st day of October 2014.

(SGD.) MARIA LOURDES P. A. SERENO

Chief Justice

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[1]Adopting Effective Measures to Reduce Expenditures and Increase Savings in Appropriations in the Judiciary

[2]Issued by Chief Justice Hilario G. Davide Jr. on 10 September 2004.

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