

SC CIRCULAR NO. 7, April 27, 1987

SC CIRCULAR NO. 7, April 27, 1987

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/c6b744a81358/>

ADMINISTRATIVE SUPERVISION OF COURTS

TO :

THE PRESIDING JUSTICE/JUDGES OF THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI' A DISTRICT COURTS AND SHARI' A CIRCUIT COURTS

SUBJECT: Appointments to Vacant Positions in the Judiciary

For the information and guidance of all concerned, quoted hereunder is the Resolution of the Court En Banc, dated until 9, 1987 in "Re: Appointments of Vacant Positions in the Judiciary":

"Re: Appointments to Vacant Positions in the Judiciary - Before us is a letter of the inquiring as to the interpretation of Article VIII, Section 5(6) of the 1987 Constitution and suggesting that the Court of Appeals be allowed, until otherwise directed, to continue appointing its own officials and employees in accordance with its internal Rules are approved by this Court.

"The apparent reason for the letter is that whereas the old charter empowered the Supreme Court to appoint only its officials and employees in accordance with the Civil Service Law', the New Constitution has widened that authority to cover 'all officials and employees of the Judiciary', all officials and employees of the Judiciary', including the Court of Appeals and all the other lower courts.

"The Court declares that in consequence of the modification it is no longer possible for the Court of Appeals, Sandiganbayan and the Court of Tax Appeals, to continue appointing its own personnel pursuant to its internal rules. Henceforth, the appointment of all their officials and employees shall be made directly and exclusively by this Court, as in the case of all the other lower courts, conformably to the new provision.

"The power of appointment is a highly discretionary prerogative that may generally not be delegated by the authority in whom confidence has been reposed by the law of its proper exercise. That principle shall be strictly observed by the Court in keeping with the aforesaid constitutional provision.

"The Court realizes that in view of the considerable number of officials and employees in the judicial department, it is likely that there will be some administrative difficulty in the processing of their appointments. To expedite and minimize the same, the following rules are laid down for the observance of all concerned.

"1. Recommendation for appointment of court personnel in all collegiate courts shall be submitted to the Supreme Court by the members thereof, through their respective Presiding Justice/Judges, insofar as they involve their respective office staffs.

"Recommendations to all other positions in the aforesaid courts shall be made by the respective Presiding

Justices/Judges.

"2. Recommendations for appointments of court personnel in all other courts shall be submitted to the Supreme Court by the Presiding Judge thereof, through their respective Executive Judges, insofar as they involve their respective branches.

"Recommendations to all other positions shall be made by the Executive Judges concerned.

"3. The Court Administrator shall process every recommendation and within fifteen (15) days from receipt thereof, submit his report and recommendation thereon to the Court for its consideration en banc.

"4. After deliberation, this Court shall be resolution either appoint the person recommended to the position indicated, effective upon the specified date, or reject the recommendation. Preference in the appointment shall be given to the recommendee of the member of the collegiate court or of the Presiding Judge, as the case may be, insofar as his staff or court is concerned. The recommending Justice/Judge is charged with the primary responsibility of determining that his recommendees have the required qualifications.

"5. In case of appointments in the collegiate courts, copies of the resolution shall be furnished the Presiding Justice/Judge and the Court Administrator; and in case of appointments for the other lower courts, only the Court Administrator shall be furnished such copies. The Presiding Justice/Judge or the Court Administrator, as the case may be shall thereupon issue to the appointee the corresponding commission evidencing the appointment.

"6. The appointee may then take his oath of office and assume the discharge of his duties.

"The commission is only the evidence of the appointment and the execution and delivery thereof may be entrusted to the above-mentioned officials as a merely ministerial function. It is the exercise of the power of appointment over court personnel that may not be done now except only by the Supreme Court itself, conformably with the new Constitution.

"7. No Justice/Judge shall allow his recommendee to assume the duties of the position to which he is recommended for appointment before the issuance of his appointment except in meritorious cases and with the prior approval of the Chief Justice.

"8. For purpose of Civil Service Law, the commission shall serve as the appointment paper of the appointee and copy thereof shall then be forwarded to the Civil Service Commission together with all other supporting papers.

"9. All resignations from office shall be submitted to the Supreme Court.

"The Court of Appeals is directed to AMEND Section 13, Rule 1 of its Internal Rules in accordance with this Resolution and to submit the corresponding amendment to this Court."

Strict compliance herewith is hereby enjoined.

April 27, 1987.

(Sgd.) CLAUDIO TEEHANKEE

Chief Justice

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.