

GUIDELINES ON WITHHOLDING OF SALARIES AND OTHER MONETARY BENEFITS OR SET-OFF AGAINST SALARIES OF ALLEGEDLY ERRONEOUSLY RELEASED MONETARY BENEFITS

SC ADMINISTRATIVE CIRCULAR NO. 2-2000, April 12, 2000

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d756a1768911/>

The Office of the Chief Justice has been receiving complaints from judges, as well as court officials and employees, of what they consider unjust and unfair withholding of their salaries and other monetary benefits allegedly for failure to comply with some administrative orders, circulars, or directives of the Supreme Court or of the Office of the Court Administrator, or for pendency of administrative cases.

Of late, too, there have been complaints of the withholding of salary checks allegedly to set off or refund some monetary benefits, such as 13th-month bonus, alleged to have been erroneously released to the Judge, court officials or employees concerned.

The aforementioned withholding or set-off or deduction, as the case may be, may be well-founded; and the complaints may likewise have some merit. Thus, specific guidelines on the matter must be provided to avoid in is understanding.

Accordingly, henceforth,

1. No withholding of salaries and other monetary benefits, such as bonuses, may be unilaterally done by the Office of the Court Administrator for failure to comply with administrative orders, circulars, and the like, or for any infraction or misfeasance which the Office of the Court Administrator may deem sufficient cause for the withholding. The Office of the Court Administrator shall first require the offending judge, court official or employees to show cause within a nonextendible period of five (5) days from notice why his salary or other monetary benefits should not be withheld by reason of any of such causes.

If no explanation is filed or if the explanation is unsatisfactory, the Office of the Court Administrator shall forthwith make a report and recommendation to the Court for its appropriate disposition of the matter.

2. Neither may the Office of the Court Administrator unilaterally withhold salary checks of judges and court officials and employees as a means to set off or enforce refund for monetary benefits claimed to have been erroneously or even illegally released to them. The Office of the Court Administrator shall first require the judge, court official or employee concerned to show cause within a nonextendible period of five (5) days from notice why a set off should not be resorted to. If no explanation is filed or if the explanation is unsatisfactory, the Office of the Court Administrator must make a report and recommendation to the Court. The latter has the exclusive power to order the set-off or refund and, accordingly, authorize the deduction from the salaries the amount erroneously or illegally released.

This Administrative Circular shall take effect on 1 May 2000.

Promulgated this 12th day of April 2000 in Baguio City.

(Sgd.) HILARIO G. DAVIDE, JR

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.