

PROVIDING POLICIES AND GUIDELINES ON THE CAPABILITY-BUILDING PLAN IN CONNECTION WITH THE IMPLEMENTATION OF THE ACTION PROGRAM FOR JUDICIAL REFORM (APJR) OF THE SUPREME COURT (SC)

ADMINISTRATIVE CIRCULAR NO. 39-2004, August 20, 2004

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WHEREAS, Human Resource Development (HRD) is one of the key reform components of the APJR to generate support for the Judicial Reform Program (JRP) and to ensure that the parties responsible for the pursuit and achievement of its vision possess the appropriate qualifications and capacities;

WHEREAS, the well-being of the Judiciary's human resources is an important component of reform initiatives, with HRD at the core of judicial reform, both as a means and an end of attaining other reform objectives;

WHEREAS, the Program Management Office (PMO) prepared a Capability-Building Plan for 2004 which contains a list of training programs for key offices in the SC, Court of Appeals (CA), Sandiganbayan, Court of Tax Appeals (CTA), and the lower courts which are involved in the implementation of the APJR;

WHEREAS, the Court approved the Plan in its Resolution of 1 June 2004 in A.M. No. 04-3-17-SC, and instructed the PMO to draft the necessary guidelines in coordination with the Philippine Judicial Academy (PHILJA), Office of Administrative Services (OAS-SC) and Office of the Court Administrator (OCA) for programs relating to or affecting their respective functions; and :

WHEREAS, the PMO, in consultation with the Personnel Development Committee (PDC) of the Supreme Court and in coordination with the PHILJA, came up with a set of guidelines in connection with the APJR patterned after the Policies and Guidelines in HRD Programs of the PDC, which will henceforth be a supplement to the PDC guidelines.

NOW THEREFORE, the following policies and guidelines on the availment of trainings, seminars, workshops, conferences, and conventions in connection with the implementation of the APJR are hereby adopted and prescribed;

Sec. 1. Coverage. These policies and guidelines shall apply to all officials and employees of the SC, CA, CTA, Sandiganbayan, Presidential Electoral Tribunal (PET), PHILJA, Judicial and Bar Council (JBC), and the lower courts for all local and foreign training programs, seminars, workshops, conferences, and conventions directly connected with or related to the implementation of the APJR.

Sec. 2. General Guidelines. The following guidelines shall apply to all trainings, seminars, workshops, conferences and conventions in connection with the capability-building plan of the APJR:

- a. The PMO shall determine the key offices whose staff must be equipped with the knowledge and skills needed to manage the APJR development projects.
- b. The following shall nominate at least two (2) participants to every APJR-related training program offered to their respective offices:

b.i. The respective Chiefs of Offices for nominees coming from the SC, PET, PHIUA and JBC;

b.2. The respective Presiding Justices for nominees coming from the appellate courts; and

b.3. The Court Administrator for nominees coming from the 1st or 2nd level courts.

The actual number of participants shall be determined by the PMO depending on the availability of its resources.

c. The nominations shall be forwarded to the PDC, c/o OAS-SC, 4th Floor, Centennial Building, SC.

d. The PDC shall have the following functions: d.i. Screen all nominations;

d.2. Rank and endorse nominees to the Chief Justice; and

d.3 Monitor the attendance and compliance with the requirements of the program by the participant.

e. Attendance to any APJR-related training program shall be on official business or official time depending on the terms and conditions of the training program of the donor, sponsor, or the SC.

f. Participants shall be relieved of all duties and responsibilities for the duration of the program.

g. Participants shall be required to submit to the PDC a report on the program attended within five (5) days in case of local trainings and within thirty (30) days in case of foreign trainings, from their return to their respective offices following the implementation of the trainign program, and shall forthwith echo the subject matter of the training program to the concerned group of office as may be determined by the PDC and PMO.

h. Participants shall liquidate their expenses as may be required by the from their return to their from their return to their respective offices following the implementation of the training. Failure to liquidate the expenses in fall shall be a disqualification for nomination in future APJR-related training programs and may be a ground for disciplinary action.

i Participants in foreign trainings, seminars, workshops, conferences, and conventions shall return immediately to the Philippines and report for work to their respective offices. An extension may be granted subject to the approval of the leave application.

j. A nominee shall not be sent to local or foreign trainings, seminars, workshops, conferences or conventions more than once in a year, except in meritorious cases.

k. Participants shall submit to the PDC the electronic or printed copies of reference materials, books or handouts obtained from such trainings, seminars, workshops, conference, and conventions.

l. In appropriate cases, a service contract may be required from the participants.

Sec. 3. Qualification Requirements. The nominees must:

a. Have rendered at least six (6) months of service in the Judiciary regardless of status of appointment;

b. Have obtained a performance rating of at least Very Satisfactory (VS) for the last rating period;

c. Have no approved application for any other local or foreign scholarship;

d. Have no pending criminal or administrative case; and

e. Be physically and mentally fit.

There shall be no age limit unless the sponsor provides a specific age requirement. However, nominees must be

able to contribute to the attainment of the objectives of the APJR during their remaining serviceable years.

Sec 4 Effect of Administrative Case Filed Against a Nominee. Should a formal charge for an administrative offense whose penalty is fine, suspension or dismissal from the service be filed against the nominee before such training, seminar, workshop, conference or convention, the authority to avail of such program shall be automatically revoked.

Sec 5. Effect of Discontinuance of Participation in Trainings, Seminars Workshops, Conferences or Conventions. Participants who discontinue the training seminar, workshop, conference or convention due to their voluntary desistance, or their own fault or willfull neglect, or due to other causes within their control shall be disqualified from being nominated to future trainings, seminars, workshops, conferences and conventions. Likewise, their attendance on official business or on official time shall be considered revoked or set aside and the time already spent shall be charged against their leave credits.

Any matter which is not included in these guidelines shall be referred to the PDC for appropriate action and recommendation.

This administrative Circular shall take effect upon its issuance.

Issued this 20[th] day of August 2004.

HILARIO G. DAVIDE

Chief Justice

Copy furnished:

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- Offices of the Associate Justices
- Philippine Judicial Academy
- Judicial and Bar Council
- Office of the Court Administrator
- The Clerk of Court
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