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[A.M. No. 99-7-07-SC. July 20, 1999]

RESOLUTION PRESCRIBING GUIDELINES FOR QUALIFYING FOR JUDICIAL OFFICE

TO : NEW AND ORIGINAL APPOINTEES TO THE JUDICIARY AND INCUMBENT JUDGES WITH LATERAL AND/OR PROMOTIONAL APPOINTMENTS

Every person appointed as judge shall before entering upon the performance of his judicial functions and the discharge of his duties and responsibilities, take and subscribe an oath of office and shall, whenever applicable, undertake an orientation seminar-workshop and undergo an immersion program.

In order to forestall problems regarding qualifying for judicial office, including the right to initial compensation, the following guidelines are hereby promulgated:

1. *Oath of Office*

   A. All newly-appointed judges shall take the oath of office upon the occasion of every appointment to a position in the Judiciary.

   B. A newly-appointed judge must take his oath of office within ten (10) days from receipt of notice of his appointment from the Chief Justice. The judge shall furnish the Office of Administrative Services of the Office of the Court Administrator (OCA) a copy of his oath of office.

   C. Should a newly-appointed judge be unable to take his oath of office pursuant to the immediately preceding paragraph, he shall forthwith submit to the Chief Justice a written explanation for his inability to take such oath and inform the Chief Justice when he can take the oath.

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D. An appointee to any position of Judge in the Judiciary who decides to decline his appointment shall, within ten (10) days from receipt of notice of his appointment, inform in writing the Chief Justice of such decision and the reason/s therefor.

2. *Orientation Seminar-Workshop*

A. All (1) new and original appointees; and (2) judges of the first level courts promoted to the Regional Trial Courts who have already taken their oath of office shall undertake an orientation seminar-workshop to be conducted by the Philippine Judicial Academy (PHILJA). Unless otherwise directed, a judge given a lateral promotion or transfer need not take the orientation seminar-workshop.

B. Judges required to undertake the orientation seminar-workshop shall await notification by the PHILJA of the schedule of such orientation seminar-workshop which they should attend.

C. Any Judge who would be unable to attend the scheduled orientation seminar-workshop should, immediately after receiving notice, inform in writing the Chancellor of the PHILJA and the Court Administrator of such inability and the reason/s therefor.

3. *Immersion Program*

A. All (1) new and original appointees; and (2) judges of the first level courts promoted to the Regional Trial Courts who have already taken their oath of office shall undergo an immersion program. Unless otherwise directed, a judge given a lateral promotion or transfer need not undergo an immersion program.

B. All new and original appointees shall undergo the immersion program for one (1) month. Judges of the first level courts promoted to the Regional Trial Court shall undergo the immersion program for two (2) weeks only.

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C. Newly-appointed judges shall commence undergoing the immersion program within ten (10) days from receipt of notice from the PHILJA. The immersion program shall be under the supervision of the Executive Judge specified in the notice from the PHILJA.

D. Should any judge be unable to undergo the immersion program within ten (10) days from receipt of the notice from PHILJA, he should immediately inform in writing the Chancellor of the said Academy and the Court Administrator of such inability and the reason/s therefor.

4. *Actual assumption and exercise of judicial office*

A. Judges given lateral promotion or laterally transferred shall perform their judicial functions and discharge their duties and responsibilities immediately after furnishing the Office of Administrative Services of the OCA with copies of their oath of office.

Should there be a judge designated as Acting Presiding Judge of the court/sala of the appointee, the said judge should cease performing his functions and discharging his duties as such Acting Presiding Judge upon actual assumption and exercise by the appointee of his judicial office.

B. Before undertaking the orientation seminar-workshop and while undergoing the immersion program, judges of the first-level courts who have been promoted to multiple-sala Regional Trial Courts shall not perform their judicial functions. They may only act on administrative matters (*e.g.*, the conduct of inventory of pending cases, personnel management matters, etc.).

C. Before undertaking the orientation seminar-workshop and while undergoing the immersion program, judges of the first-level courts who have been promoted to single-sala Regional Trial Courts may already

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act on judicial matters which are urgent in nature or which need immediate action (*e.g.*, applications for temporary restraining orders; complaints for preliminary injunction; applications for bail; petitions for the issuance of the writ of habeas corpus, etc.).

D. Before undertaking the orientation seminar-workshop and after completion of the immersion program, judges of the first-level courts who have been promoted to either single-sala or multiple-sala Regional Trial Courts may already enter upon the performance of their judicial functions and the discharge of their duties and responsibilities.

Should there be a judge designated as Acting Presiding Judge of the court/sala of the appointee, the said judge should cease performing his functions and discharging his duties as such Acting Presiding Judge upon completion by the appointee of his immersion program.

E. Before undertaking the orientation seminar-workshop and while undergoing the immersion program, new and original appointees to the Judiciary, although they have already taken their oath of office, cannot perform judicial functions. However, they may act on administrative matters.

F. Before undertaking the orientation seminar-workshop and after completion of the immersion program, new and original appointees to multiple-sala Regional Trial Courts shall not perform their judicial functions. They may act on administrative matters only.

G. Before undertaking the orientation seminar-workshop and after completion of the immersion program, new and original appointees to single-sala Regional Trial Courts may already act on judicial matters urgent in nature or which need immediate action.

Should there be a judge designated as Acting Presiding Judge of the court of the new and original

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appointee who has already completed the immersion program although he has not yet undertaken the orientation seminar-workshop, the said judge should cease performing his functions and discharging his duties as such Acting Presiding Judge upon completion by the appointee of his immersion program.

5. *Payment of initial compensation*

The right of newly-appointed judges to their initial salaries shall accrue as of the date of the first day of either the orientation seminar-workshop or the immersion program, whichever date is earlier. In order to expedite the processing of their initial salaries, newly-appointed judges should accomplish the required documents relative to their appointments. Inquiries on this matter should be addressed to the Office of Administrative Services of the OCA.

6. *Dissemination of information to applicants*

The Secretariat of the Judicial and Bar Council shall furnish all applicants for appointment to the Judiciary with copies of this resolution for their information and guidance.

This Resolution shall take effect on 1 August 1999.

Promulgated this 20th day of July 1999.

Davide, Jr., C.J., Romero, Bellosillo, Melo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Quisumbing, Purisima, Pardo, Buena, Gonzaga-Reyes, and *Ynares-Santiago JJ.,* concur.