



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

8 February 2002

CIRCULAR NO. 16-2002

TO: ALL LOWER COURT PERSONNEL

SUBJECT: EDUCATIONAL SUPPORT PROGRAM (ESP) FOR THE EMPLOYEES OF THE LOWER COURTS – BAR/BOARD EXAMINATIONS

In its Resolution dated 27 April 1999 in Administrative Matter No. 99-3-101-RTC, the Supreme Court *En Banc* resolved to establish the Educational Support Program (ESP) for employees of the lower courts who wish to take the Bar examinations. In its Resolution dated 25 September 2001, the Supreme Court expanded the scope of the ESP to include the Board examinations. Further, the Court directed strict compliance of ESP-LC with the mandates under Administrative Matter No. 01-4-10-SC (Policies and Guidelines in Human Resource Development Programs). The ESP enables all lower court personnel to go on official study leave for six (6) months, subject to the following conditions as set forth in A.M. No. 01-4-10-SC, namely, that the applicant must:

- (1) be a holder of a permanent appointment in the judiciary. Coterminous employees may, however, avail themselves of this privilege provided that the service obligation is still within their serviceable years and within the tenure of their respective Chiefs of Office;

note: Only one (1) employee from every lower court branch/office may be recommended for study leave each year. In case two (2) or more employees in the court branch/office are interested to apply for this benefit, preference shall be given to the one who has not yet availed of the benefit or has never taken the examination.

The privilege of study leave may be availed of only once every three (3) years.

- (2) have rendered at least two (2) years of service in the judiciary;
- (3) have obtained a performance rating of at least Very Satisfactory (VS) for the last two (2) consecutive rating periods prior to the months of the intended leave;
- (4) be physically and mentally fit;

- (5) have no pending criminal or administrative case;
- (6) have rendered the service obligation of any previous service contract;
- (7) have graduated not more than five (5) years prior to the start of the study leave with a bachelor's degree which requires the passing of a government bar or board licensure examination; otherwise, the applicant must obtain at least fifteen (15) units of refresher course prior to the start of the study leave; and
- (8) have no pending untranscribed transcript of stenographic notes, if a court stenographer.

The Educational Support Program Committee for the Lower Courts (ESPC-LC) shall evaluate all applications by the lower court employees filed under the Program and shall submit its recommendation to the Court Administrator.

The grantee of the study leave privileges shall enter into a Contract of Undertaking with the Office of the Court Administrator and shall comply with the following terms and conditions:

- (1) The grantee must take and complete the required bar or board examination.
- (2) After the bar or board examination, the grantee shall immediately report for work within five (5) days from the expiration of the study leave and submit to the ESP Committee a certification issued by the Clerk of Court that he has already resumed work in his/her official station.
- (3) The grantee must render the service obligation as follows:

| Scholarship Term | Service Contract |
|--|---|
| More than (3) months to six (6) months | Three (3) years of service in the Judiciary |
| Three (3) months or less | Two (2) years |

In case of violation of the terms and conditions of the study grant, the following guidelines shall apply:

- (1) Effect of Failure to Take the Bar/Board Examinations.

If grantee fails to take the Bar/Board examination through his own fault or negligence or other causes within his control, the authority to go on study leave on official time shall be deemed revoked and the following shall be effected:

- (a) If grantee has sufficient vacation leave credits, the study leave shall be charged against such;
- (b) If grantee has insufficient or has no more vacation leave credits, he shall refund the monetary value of the balance or the whole of the study leave, as the case maybe, either by a single payment or deductions from salaries and other pecuniary benefits. Should the foregoing mode of payment be inapplicable, the amount to be refunded shall be taken from any retirement gratuities or terminal leave benefits that may accrue to him in the course of his employment; or
- (c) If grantee fails to immediately report for work after the Bar/Board examinations, he shall be declared absent without leave (AWOL).

(2) Effect of failure to render the Service Obligation. – Should the grantee fail to render in full the service obligation referred to in the contract on account of voluntary resignation, optional retirement, separation from the service through his own fault, or other causes within his control, he shall refund the gross salary, allowances and other benefits received while on study leave based on the following formula:

$$R = \frac{(SOR-SOS)}{SOR} \times TCR$$

- R = Refund
- SOR = Service Obligation Required
- SOS = Service Obligation Served
- TCR = Total Compensation Received

Should grantee be unable to effect payment, the amount shall be taken from any pecuniary benefits, retirement gratuities or terminal leave benefits that may accrue to him in the course of his employment. Consequently, clearances of resigned employees will only be approved upon fulfillment of pecuniary obligation by the grantee.

A coterminous grantee who fails to render in full the service obligation shall refund a proportionate amount of the salaries and emoluments received from the SC even though such failure is due to the death, voluntary resignation or separation from office of his/her chief of office unless he/she is immediately re-employed. However, if such failure is due to other causes beyond the control of the grantee, the obligation to refund shall not apply.

Should a formal charge for an administrative offense whose penalty is suspension or dismissal be filed against the grantee after the approval of his leave application but before the study leave, the authority to go on study leave on official time shall be automatically revoked. If filed while on study leave, the authority shall be deemed suspended and the Court may withhold his salaries and other benefits.



- (a) If exonerated, the grantee shall continue receiving his salaries and other benefits and shall receive all those which have been withheld.
- (b) If found guilty, the grantee shall refund all salaries and benefits he received while on study leave.

All applications (ESPC Form No. 1) together with the required documents shall be filed at least two (2) months before the start of the study leave and shall be sent to:

ATTY. MARIANO PAULINO L. UMALI
Secretary-Recorder
Education Support Program Committee
Office of the Court Administrator
Supreme Court Old Building
Taft Avenue, Ermita
Manila

or for inquiries you may also call:
MS. RIO GATICALES

For your information and guidance.


PRESBITERO J. VELASCO, JR.
Court Administrator 

Encl.: Copy of ESPC Form No. 1 (Application Form)
List of Required Documents

EDUCATIONAL SUPPORT PROGRAM COMMITTEE
(Documentation requirements)

1. All applicants shall submit the following:

A. ESPC Form No. 1

B. Local Clearance as to:

(1) pending administrative and criminal cases to be issued by the following:

(a.) For RTC/SHDC employee

(a.1) Clerk of Court of the Office of the Clerk of Court (OCC) for multi-sala stations or by the Clerk of Court of his official station for single-sala stations

(b.) For MeTC/MTCC employee

(b.1) Clerk of Court of the Office of the Clerk of Court (OCC) for multi-sala stations or by the Clerk of Court of his official station for single-sala stations

(b.2) Clerk of Court of the RTC exercising territorial jurisdiction over his official station

(c.) For MTC/MCTC/SHCC employee

(c.1) Clerk of Court of his official station

(c.2) Clerk of Court of the RTC/SDC exercising territorial jurisdiction over his official station

(d.) For Office of the Jurisconsult employee

(d.1) Jurisconsult

(2) property and money accountability to be issued by the following:

(a.) For RTC/SHDC/MeTC/MTCC employee

(a.1) Clerk of Court of the Office of the Clerk of Court (OCC) for multi-sala stations or by the Clerk of Court of his official station for single-sala stations

(a.2) Provincial/City/ Municipal Treasurer

(b.) For MTC/MCTC/SHCC employee

(b.1) Clerk of Court of his official station

(b.2) Provincial/City/Municipal Treasurer

(c.) For Office of the Jurisconsult employee

(c.1) Jurisconsult

(c.2) Provincial/City/Municipal Treasurer

- C. Certification that only one (1) employee of the office/division/branch is being recommended for study leave for the current year.**
 - (a) Single Sala – The Certification should be signed by the Branch Clerk of Court and noted by the Presiding Judge.**
 - (b) Branch of a Multiple-Sala-Court – The Certification should be signed by the Clerk of Court of his official station and noted by the Presiding Judge.**
 - (c) Office of the Clerk of Court – The Certification should be signed by the Clerk of Court and noted by the Executive Judge or Vice Executive Judge.**
 - (d) Office of the Jurisconsult – The Certification should be signed by the Jurisconsult**

 - D. Duly accomplished Performance Rating Form for the last two (2) consecutive rating periods prior to the months of intended Leave.**

 - E. Service Record**

 - F. Medical Certificate from a government doctor attesting applicant's physical fitness.**

 - G. If applicant has graduated more than five (5) years prior to the start of the study leave, certification that fifteen (15) units of refresher course has been completed.**
- 2. Additional documentation requirement where the applicant is a stenographer**
- Certification that the applicant has no pending untranscribed stenographic notes to be issued by the Clerk of Court.**

**EDUCATIONAL SUPPORT PROGRAM
COMMITTEE**

STUDY LEAVE to take the bar exam board exam

1A. Date of Application

1B. Date of Start of Study Leave

Application Form

Name: First Name Middle Name Maiden Name (If married)

Permanent Address 4. Tel. No.

5. Sex: Male Female 6. Civil Status: Single Married 7. Date of Birth: _____ 8. Place of Birth: _____

9. Name and Address of Office 10. Tel. No.

11. Position Title 12. Nature of Appointment: Permanent Temporary Others: _____ 13. Salary per Month: _____
14. Length of Service in the Judiciary: _____

15. Performance Rating for the last two (2) consecutive rating periods: _____ 15. Period of Study Leave: _____

| Education | Degree Earned | Name of College/University | Inclusive Years of Attendance |
|---------------|---------------|----------------------------|-------------------------------|
| College | | | |
| Post Graduate | | | |

If you have graduated more than five (5) years prior to the start of the study leave, have you taken a refresher course of at least fifteen (15) units yes no. If yes, attach certification from the school where refresher course was taken.

Government Employment Record

| Agency | Address | Position | Inclusive Dates/Years of Service |
|--------|---------|----------|----------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |

16. Do you have any pending: a) administrative case? [] Yes [] No b) criminal case [] Yes [] No
If you have any, give case no. and status: _____

17. Have you previously availed yourself of the privilege under the Educational Support Program? [] Yes [] No
If yes, when _____ Have you rendered the required service obligation of a previous scholarship grant? _____

I declare that all the answers given in this application form are true and correct.

Print name and signature

Recommended by: _____
Chief of Office

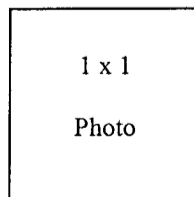
Approved: _____

Subscribed and sworn to before me this _____ day of _____, 20____,
with applicant exhibiting his Community Tax Certificate as indicated herein.

(Person administering oath)

21. Community Tax Certificate
No. _____
Issued at: _____
Date of issue: _____

22.



be accomplished by the **Office of the Court Administrator:**

| | | |
|---|-------------------------------------|----------------------------|
| Office of Administrative Services | | |
| Personnel Division | Employee's Leave Division | Property Division |
| Financial Management Office | | |
| Finance Division | Checks Disbursement Division | Accounting Division |
| Docket and Clearance Division, Legal Office | For Stenographers | |
| | Docket CA (JRD) | Docket SC (JRO) |
| Court Management Office | | |
| Statistical Reports Division | Fiscal Monitoring Division | |
| Educational Support Program Committee | | |
| _____ Chairman | _____ Vice Chairman | _____ Member |
| _____ Member | _____ Member | _____ Date |
| Court Administrator | | |
| <p>PRESBITERO J. VELASCO, JR. Court Administrator</p> <p style="text-align: right;">_____ Date</p> | | |