



Republic of the Philippines
Judicial and Bar Council
Manila

JBC No. 2020-01

**THE 2020 REVISED RULES
OF THE JUDICIAL AND BAR COUNCIL**

WHEREAS, under the Constitution and pertinent laws, the authority to recommend appointees to the Judiciary¹ and to prepare and submit a list of nominees for the offices of the Ombudsman,² Deputy Ombudsman,³ and Special Prosecutor⁴ and the offices of the Chairperson and Regular Members of the Legal Education Board⁵ are vested in the Judicial and Bar Council (hereafter referred to as Council);

WHEREAS, the President of the Philippines may appoint from the list of at least three nominees for every vacancy officially transmitted by the Council to the Office of the President;⁶

WHEREAS, the Council is thus vested with the great responsibility to determine whether the applicants for nomination possess the qualifications required by the Constitution and pertinent laws;

WHEREAS, it is imperative that the Council prescribe the necessary rules to ascertain and ensure that applicants for nomination meet such qualifications;

NOW, THEREFORE, the Council hereby prescribes the following Rules which shall be considered in the selection and nomination of prospective appointees to the Judiciary; the offices of the Ombudsman, Deputy Ombudsman, and Special Prosecutor; and the offices of the Chairperson and Regular Members of the Legal Education Board.

These Rules may be cited as the 2020 Revised JBC Rules.

¹ Section 8, Article VIII, Constitution.

² Sec. 8, Art. XI, Constitution; Sec. 5, Republic Act (R.A.) No. 6770 (otherwise known as *The Ombudsman Act of 1989*, as amended [hereinafter *Ombudsman Act*]).

³ Id.

⁴ Sec. 5, *Ombudsman Act*.

⁵ R.A. No. 7662 (otherwise known as the *Legal Education Reform Act of 1993*).

⁶ Sec. 9, Art. VIII, Constitution.

RULE I

FILLING OF VACANCIES AND FILING OF APPLICATIONS

SECTION 1. *Period for Filling of Vacancies in the Supreme Court.*— Vacancies in the offices of the Chief Justice and of the Associate Justices in the Supreme Court shall be filled within ninety (90) days from their occurrence.⁷

SEC. 2. *Period for Filling of Vacancies in the Offices of the Ombudsman, Deputy Ombudsman, and Special Prosecutor.* – Vacancies in the offices of the Ombudsman, Deputy Ombudsman, and Special Prosecutor⁸ shall be filled within three (3) months from their occurrence.⁹

SEC. 3. *Period for Filling of Vacancies in the Court of Appeals, Sandiganbayan, Court of Tax Appeals, Shari’ah High Court, and All Other Courts.* – Vacancies in the Court of Appeals, Sandiganbayan, Court of Tax Appeals, Shari’ah High Court,¹⁰ and all other courts shall be filled within ninety (90) days from the official submission by the Council to the Office of the President of the list of nominees for the vacancies concerned.¹¹

SEC. 4. *Call for Applications.* – (a) The occurrence of any vacancy in the Supreme Court by virtue of mandatory retirement or in the offices of the Ombudsman, Deputy Ombudsman, and Special Prosecutor by virtue of expiration of term opens, *ipso facto*, the vacant position for filing and acceptance of applications therefor. For any vacancy occurring from another cause, like impeachment, death, resignation, optional retirement, or disability retirement, the Council shall immediately announce the opening of the vacancy for application.

(b) The Council shall open for application vacancies in the Court of Appeals; Sandiganbayan; Court of Tax Appeals; and, in the case of first and second level courts, after consultation with the Office of the Court Administrator.

⁷ Sec. 4, par. 1, Art. VIII, Constitution.

⁸ Sec. 5, *Ombudsman Act*.

⁹ Sec. 9, Art. XI, Constitution.

¹⁰ Created within the Bangsamoro territorial jurisdiction as part of the Philippine Judicial System (Sec. 7, Art. X, Republic Act No. 11054 entitled *An Act Providing for the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao, Repealing for the Purpose Republic Act No. 6734, entitled “An Act Providing for an Organic Act for the Autonomous Region in Muslim Mindanao,” as amended by Republic Act No. 9054, entitled “An Act to Strengthen and Expand the Organic Act for the Autonomous Region in Muslim Mindanao”* (hereinafter the *Bangsamoro Law*).

¹¹ Sec. 9, Art. VIII, Constitution.

(c) The Council shall open for application vacancies in the offices of the Chairperson and Regular Members of the Legal Education Board.

(d) The Council may announce prospective vacancies even before their occurrence for the purpose of filing and acceptance of applications.

SEC. 5. *Filing of Applications.* – Applications may be filed by the applicants themselves or through the recommendation of another person, association or organization. In the latter case, the applicants concerned must manifest their acceptance of the recommendation either in the recommendation itself or in a separate document.

Hereafter, whenever used in these rules, the terms “applicant” and “application” shall be deemed to include the terms “recommendee” and “recommendation,” respectively.

Applications should be accompanied with two (2) complete sets of duly accomplished and notarized Personal Data Sheet (PDS) and all other documentary requirements (*one original or certified true copy and one duplicate photocopied on long bond paper*), tabbed, and enclosed in long envelopes in a color prescribed by the Council, together with (a) a letter of intent to apply; (b) a transmittal letter indicating all the submitted documents; and (c) a flash drive containing scanned or electronic copies thereof.

This is without prejudice and subject to the technological and other developments that the Council may later implement to enhance the application system.

SEC. 6. *How and Where to File Applications and Other Documentary Requirements.* – Interested applicants must visit the official JBC Website (www.jbc.judiciary.gov.ph) and access the Online Application Scheduler for purposes of reserving a schedule and selecting a mode of submission. The application and other documentary requirements shall be filed either personally, by registered mail, or by a private courier with the Council depending on the mode of submission selected by the applicant in the Online Application Scheduler.

SEC. 7. *Period for Filing of Applications and Other Documentary Requirements.* – The filing of applications and complete documentary requirements shall be made within forty-five (45) calendar days after the publication of the announcement of vacancies in two (2) newspapers of general circulation in the Philippines, on the date chosen by the applicant in the Online Application Scheduler. The Council may shorten or extend the application period for justifiable

reasons. The extensions shall in no case exceed thirty (30) calendar days, which shall be reckoned from the original prescribed deadline.*

The date of receipt by the Council of the application with the complete documentary requirements shall be deemed as the date of filing.

The Council shall reject applications (i) filed before the publication of the announcement of the opening of vacancies or (ii) filed on a date other than the chosen date in the Online Application Scheduler.

Applicants who fail to submit a complete set of the required documents within the prescribed period shall not be considered for nomination.

Should there be less than five (5) qualified applicants after the first deliberation, the subject vacancy shall be reopened. However, this shall not apply if the vacancy has been previously reopened, in which case, the screening process shall proceed as long as there can be compliance with the constitutional or statutory requirement that there should be at least three (3) nominees.*

In case of reopened vacancy or vacancies, applicants, who are considered qualified after the first deliberation when the vacancy or vacancies were first opened, shall manifest their intention to re-apply and access the Online Application Scheduler for purposes of reserving a schedule and selecting a mode of submission. However, they shall only be required to submit an update of their out-of-date documentary requirements, on their selected date in the Online Application Scheduler.*

SEC. 8. *Publication of List of Applicants.* – The list of applicants who meet the minimum qualifications and the Council’s evaluative criteria prescribed in Sections 2 and 3 of Rule 3 of these Rules, which the Council shall consider in a given time, shall be published once in two (2) newspapers of general circulation in the Philippines.

The publication shall include a notice to the public that any complaint or opposition against applicants may be filed with the Council. A copy of the list shall likewise be posted in the JBC website.

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the 2020 Revised Rules of the Judicial and Bar Council [JBC No. 2020-01]).

RULE 2

CONSTITUTIONAL AND STATUTORY QUALIFICATIONS FOR NOMINATION

Section 1. *Qualifications Applicable to Members of the Judiciary; the Ombudsman, Deputy Ombudsman, and Special Prosecutor; and Chairperson and Regular Members of the Legal Education Board.* – (a) Members of the Judiciary; the Ombudsman, Deputy Ombudsman, and Special Prosecutor; and Chairperson and Regular Members of the Legal Education Board (LEB), except the LEB Regular Member Representing the Law Students’ Sector and the Judges of the Shari’ah District Courts and Shari’ah Circuit Courts in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), must be natural-born citizens of the Philippines.¹²

The courts of the Philippines are the following: Supreme Court, Court of Appeals, Sandiganbayan, Court of Tax Appeals, Shari’ah High Court, Regional Trial Courts, Family Courts, Shari’ah District Courts, Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, Municipal Circuit Trial Courts, and Shari’ah Circuit Courts.

(b) Members of the Philippine Judiciary must be members of the Philippine Bar of proven competence, integrity, probity, and independence.¹³

SEC. 2. *Additional Qualifications for Members of the Supreme Court.* – Members of the Supreme Court must be at least forty (40) years of age and must have been, for fifteen (15) years or more, judges of a lower court or engaged in the practice of law in the Philippines.¹⁴

¹² Sec. 7, par. 1, Art. VIII, Constitution; Sec. 1, Presidential Decree (P.D.) No. 1606, as amended; Sec 1, R.A. No. 1125 (otherwise known as *The Law Creating the Court of Tax Appeals*), as amended; Secs. 7, 15 & 26, Batas Pambansa (B.P.) Blg. 129 (otherwise known as *The Judiciary Reorganization Act of 1980*); Sec. 4(a), R.A. No. 8369 (otherwise known as the *Family Courts Act of 1997*); Arts. 140 and 152, P.D. No. 1083; Sec. 8, Art. XI, Constitution; Sec. 5, *Ombudsman Act*; Sec. 4, R.A. No. 7662.

As for the lower courts, it must be noted that Sec. 7 (2), Art. VIII of the Constitution, provides: “The Congress shall prescribe the qualifications of judges of lower courts, but no person may be appointed judge thereof unless he is a citizen of the Philippines and a member of the Philippine Bar.”

Significantly, Section 4 of R.A. No. 8369 (“*The Family Courts Act of 1987*,” which was approved on 28 October 1997) and Sections 3 and 5 of R.A. No. 11459 (otherwise known as the *Judges-at-Large Act of 2019*, which was approved on 30 August 2019), retained the qualification requirement of **natural-born citizenship** prescribed under Sections 15 and 26 of B.P. Blg. 129.

¹³ Sec. 7, Art. VIII, Constitution.

¹⁴ Id.

SEC. 3. *Additional Qualifications for Members of the Court of Appeals.* – Members of the Court of Appeals must possess the same qualifications as those prescribed for Members of the Supreme Court.¹⁵

SEC. 4. *Additional Qualifications for Members of the Sandiganbayan.* – Members of the Sandiganbayan must be at least forty (40) years of age and for at least ten (10) years have been judges of a court of record or have been engaged in the practice of law in the Philippines or have held office requiring admission to the bar as a pre-requisite for a like period.¹⁶

SEC. 5. *Additional Qualifications for Members of the Court of Tax Appeals.* – Members of the Court of Tax Appeals shall have the same qualifications as the Members of the Court of Appeals.¹⁷

SEC. 6. *Additional Qualifications for Members of the Shari'ah High Court.* – Justices of the Shari'ah High Court must be Muslims; regular members of the Philippine Bar; at least forty (40) years of age; have been engaged in the practice of law for fifteen (15) years or more; and have completed at least two (2) years of *Shari'ah* or Islamic Jurisprudence.¹⁸

SEC. 7. *Additional Qualifications for Regional Trial Court Judges, Regional Trial Court Judges-at-Large, and Family Court Judges.* – Regional Trial Court Judges, Regional Trial Court Judges-at-Large, and Family Court Judges must be at least thirty-five (35) years of age and, for at least ten (10) years, have been engaged in the practice of law in the Philippines or have held a public office in the Philippines requiring admission to the practice of law as an indispensable requisite.¹⁹

SEC. 8. *Additional Qualifications for Judges of Shari'ah District Courts.* – (a) Judges of Shari'ah District Courts outside the Bangsamoro Autonomous Region (BARMM) shall have the same qualifications as the Members of Regional Trial Courts, and in addition, must be learned in Islamic law and jurisprudence.²⁰

(b) Judges of Shari'ah District Courts within the BARMM must be citizens of the Philippines who are Muslims; Regular Members of the Philippine Bar; at least thirty-five (35) years of age, have been engaged in the practice of law for ten (10) years or more; and have

¹⁵ Sec. 7, B.P. Blg. 129.

¹⁶ Sec. 1, P.D. 1606, as amended.

¹⁷ Sec.1, R.A, No. 1125, as amended by R.A. No. 9282.

¹⁸ Sec. 8 (c), Art. X, *Bangsamoro Law*.

¹⁹ Sec. 15, B.P. Blg. 129, as amended by Sec. 4, *Family Courts Act* and Sec. 3, *Judges-at-Large Act*.

²⁰ Art. 140, P.D. No. 1083.

completed at least two (2) years of *Shari'ah* or Islamic Jurisprudence.²¹

SEC. 9. *Additional Qualifications for Judges of Courts of the First Level.* – Judges of courts of the first level (Metropolitan Trial Court [METC], Municipal Trial Court in Cities [MTCC], Municipal Trial Court [MTC], Municipal Circuit Trial Court [MCTC]) and Municipal Trial Court Judges-at-Large must be at least thirty years (30) of age and, for at least five (5) years, have been engaged in the practice of law in the Philippines or have held a public office in the Philippines requiring admission to the practice of law as an indispensable requisite.²²

SEC. 10. *Additional Qualifications for Judges of Shari'ah Circuit Courts.* – (a) Judges of Shari'ah Circuit Courts in provinces and cities outside the BARMM must be at least twenty-five (25) years of age and have passed an examination in the Shari'ah and Islamic Jurisprudence to be given by the Supreme Court for admission to special membership in the Philippine Bar to practice in the Shari'ah courts.²³

(b) Judges of Shari'ah Circuit Courts within the BARMM must be citizens of the Philippines who are Muslims; Regular Members of the Philippine Bar; at least thirty (30) years of age; have been engaged in the practice of law for five (5) years or more; and have completed at least two (2) years of *Shari'ah* or Islamic Jurisprudence.²⁴

SEC. 11. *Additional Qualifications for the Ombudsman, Deputy Ombudsman, and Special Prosecutor.* – The Ombudsman, Deputy Ombudsman, and Special Prosecutor²⁵ must be, at the time of their appointment, at least forty (40) years old; of recognized probity and independence; members of the Philippine Bar; must have been, for at least ten (10) years, judges or engaged in the practice of law in the Philippines; and must not have been candidates for any elective office in the immediately preceding election.²⁶

SEC. 12. *Additional Qualifications for the Chairperson and Regular Members of the Legal Education Board.* – The Chairperson and Regular Members of the Legal Education Board, except the one representing the Law Students' Sector, must be members of the Philippine Bar in good standing and who have been engaged in the

²¹ Sec. 8 (b), Art. X, *Bangsamoro Law*.

²² Sec. 26, B.P. Blg. 129, as amended by Sec. 5, *Judges-at-Large Act*.

²³ Art. 152, P.D. No. 1083.

²⁴ Sec. 8 (a), Art. X, *Bangsamoro Law*.

²⁵ Sec. 5, *Ombudsman Act*, as amended.

²⁶ *Id.*; Sec. 8, Art. XI, Constitution.

practice of law, as well as in the teaching of law in a duly authorized or recognized school or institute of law, for at least ten (10) years.*

RULE 3

COMPETENCE

SEC 1. *Guidelines in Determining Competence.* – In determining the competence of applicants for nomination, the Council shall consider their educational preparation; relevant experience; work performance ratings; results of comprehensive medical examinations and psychological and psychiatric evaluations as prescribed under Rule 6; performance in the written evaluative examinations and personal interviews under Rule 7; and compliance with the Pre-Judicature Program (PJP) of the Philippine Judicial Academy (PHILJA).*

The Council shall also consider the nature, designation, and case docket of the court where the vacancy exists in assessing the fitness, qualifications, and competence of the applicants.

SEC. 2. *Educational Preparation.* – The Council shall evaluate the applicants' (a) scholastic record; (b) bar examination performance; (c) civil service eligibilities and grades in other government examinations; (d) academic awards, scholarships, or grants received or obtained; (e) membership in national or international honor societies or professional organizations; (f) passing rate in the PJP of the PHILJA; and (g) compliance with the Rules on Mandatory Continuing Legal Education for members of the Integrated Bar of the Philippines (IBP), if applicable.*

Applicants who hurdled the Philippine Bar Examinations on their first attempt shall be given priority. Those who did not make it in their first try may, however, be considered if they have in their favor outstanding credentials to compensate for their Bar record, such as, impressive scholastic record, high ratings in the PJP of the PHILJA, completion of post graduate degrees, and other awards or recognition.*

All applicants are required to undergo, complete and pass the PJP of PHILJA by satisfactorily complying with all the requirements incident thereto pursuant to Section 10 of Rep. Act No. 8557. The

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the 2020 Revised Rules of the Judicial and Bar Council [JBC No. 2020-01]).

PJP passing result shall have a validity period of three (3) years reckoned from the date of release by the PHILJA.*

For the reason that the positions are not within the Judiciary, the applicants for the LEB and the Office of the Ombudsman shall not be required to undergo the PJP.*

Those who completed the PJP but are still waiting for the certification thereof may be allowed to continue with the screening process, provided that they submit a certification from the PHILJA that they had passed the PJP before the final deliberation of the council.*

Applicants for promotion to the Regional Trial Court (RTC) shall undergo and pass the PHILJA module designed for the second level courts. Applicants for promotion to the appellate courts shall undergo and pass the PHILJA module designed for the appellate courts.*

Applicants outside of the Judiciary applying for the second level courts and appellate courts shall pass the basic PJP and the corresponding module or PJP for the said positions.*

SEC. 3. *Experience.* – The experience of the following applicants shall be considered:

(a) *Members of the Judiciary.* – Justices and Judges who seek promotion must have served for at least five (5) years in their present judicial rank to be considered for nomination to the next higher level courts, thus:

1. from a first level court (METC, MTCC, MCTC, or MTC) to a second level court (RTC);
2. from a Shari’ah Circuit Court to a Shari’ah District Court;
3. from a Shari’ah District Court to the Shari’ah High Court;
4. from a second level court to an appellate court (the Court of Appeals, the Sandiganbayan, and the Court of Tax Appeals); and
5. from any of the appellate courts to the Supreme Court.

Justices and Judges who are seeking lateral transfer must have served for at least three (3) years in their present judicial rank. In

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the 2020 Revised Rules of the Judicial and Bar Council [JBC No. 2020-01]).

addition, the applicants must show reasonable decrease or significant improvement in their dockets.*

The required number of years of experience shall be reckoned from the date the applicants took their oath of office for their positions to the deadline for filing of applications for the position applied for.

For vacant positions in the RTCs in the National Capital Judicial Region, preference shall be accorded to incumbent RTC Judges with at least three (3) years of experience as such, and to first level court Judges with at least five (5) years of experience as such.

(b) *Other Applicants from Government Offices.* – Other applicants from government offices shall be given preference if they have served, for at least five (5) years, positions with the following salary grades:

1. Salary Grade 27, for second level courts;
2. Salary Grade 29, for third level courts; and
3. Salary Grade 30, for the Supreme Court.

(c) *Applicants from the Private Sector.* – Applicants from the private sector must show relevant experience and outstanding credentials; leadership in the legal profession; outstanding record as former government officials or as lawyers with unsullied reputation for honesty, integrity, competence, probity, and independence of mind; adherence to sound ethical and moral principles; and abiding fidelity to the lawyer’s oath or the Code of Professional Responsibility.

In every case, however, Justice applicants and Judge applicants shall be accorded preference to encourage and promote careerism in the Judiciary.

SEC. 4. *Performance.* – (a) Applicants who are in government service must submit their performance ratings, which shall include a verified statement as to their performance for the past three (3) years.

(b) For incumbent members of the Judiciary who seek promotional or lateral appointment, their performance may be based, *inter alia*, on their landmark decisions; court records as to status of their docket; reports of the Office of the Court Administrator; validated feedback from the IBP and other law organizations; and a verified statement as to their performance for the past three (3) years, which shall include their caseload, their average monthly output in

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the 2020 Revised Rules of the Judicial and Bar Council [JBC No. 2020-01]).

all actions and proceedings, the number of cases deemed submitted for decision and the date they were submitted for decision, and the number of their decisions or rulings during the immediately preceding two (2) years appealed to a higher court, and the percentages of full or partial affirmance thereof.

SEC. 5. *Other Accomplishments.* – The Council may likewise consider other accomplishments of the applicants, such as awards for judicial excellence; authorship of law books, treatises, articles, and other legal writings, whether published or not; and leadership in professional, civic, or other organizations.

RULE 4

INTEGRITY AND PROBITY

SECTION 1. *Evidence of Integrity and Probity.* – The Council shall take every possible step to verify the applicants' record of, and reputation for, honesty, integrity, probity, incorruptibility, irreproachable conduct, and fidelity to sound moral and ethical standards. For this purpose, the applicants shall submit to the Council certifications thereon or testimonials thereof from reputable government officials and non-governmental organizations, and clearances from the courts, the National Bureau of Investigation, the Office of the Ombudsman, the Office of the Bar Confidant, the IBP, the Philippine National Police, and from such other agencies as the Council may require. All of these must have been issued within six (6) months prior to the deadline for their submission.

SEC. 2. *Background Check.* – The Council may order a discreet background check on the integrity, reputation, and character of the applicants, and receive feedback thereon from the public, which the Council shall check, verify, or validate the merits thereof.

All applicants may be subject to, or covered by, a survey or feedback mechanism.

SEC. 3. *Complaints or Oppositions.* – The Council may receive written sworn complaints or oppositions relating to the qualifications or moral fitness of applicants.

The applicants concerned shall be furnished with a copy of the sworn complaint or opposition and shall be given five (5) calendar days from receipt thereof within which to file a comment thereon, if

they so desire. During the interview, the applicants concerned may be made to comment on the complaint or opposition.*

SEC. 4. *Anonymous Complaints or Oppositions.* – Anonymous complaints or oppositions against applicants shall not be given due course unless there appears probable cause sufficient to engender a belief that the allegations may be true, which may affect the integrity of the applicants. The Council may either direct a discreet investigation or require the applicants concerned to comment thereon in writing or during the interview.

SEC. 5. *Disqualifications.* – The following are disqualified from being nominated for appointment to any judicial post or to the positions of Ombudsman, Deputy Ombudsman, Special Prosecutor, or Chairperson or Regular Member of the LEB:

1. Applicants with Criminal Cases

- a. Those with pending criminal cases involving moral turpitude in the Philippines;
- b. Those with pending criminal cases in foreign courts or tribunals; and
- c. Those who have been convicted in any criminal case under penal laws or found guilty in a case which is criminal in nature, such as direct or indirect contempt;

2. Applicants with Administrative Cases

- a. Those with pending administrative cases or complaints in the Office of the Ombudsman which are either under fact-finding stage and the applicants were not issued a clearance, or still under administrative adjudication;
- b. Those with pending administrative cases or complaints before any court, office, tribunal, any government office, agency, or instrumentality, or before the IBP or any association, disciplinary committee or body when, in the determination of the Council, the complaints are serious or grave as to affect their fitness for nomination;

Complaints against applicants concerning the merits of cases or ascribing errors to their decisions or resolutions, which are judicial in nature, shall not be grounds for disqualification;

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the *2020 Revised Rules of the Judicial and Bar Council* [JBC No. 2020-01]).

- c. Those who have been found guilty with finality:^{*}
 - i. in an administrative case decided before May 31, 2021, where the penalty imposed is suspension for a period at least ten (10) days or a fine of at least Ten Thousand Pesos (P10,000);
 - ii. in an administrative case decided on May 31, 2021 or thereafter, where the penalty imposed is suspension for a period at least thirty (30) days or a fine of at least Thirty-Five Thousand Pesos (P35,000).

In both cases, the disqualification will not apply if they have been granted judicial clemency or clemency extended by appropriate disciplining authorities and expressly allowed to be considered for positions in the Judiciary, the Office of the Ombudsman, and the Legal Education Board; and

- d. Those who have been disbarred or suspended from the practice of law or penalized with a fine of at least P10,000 or whose notarial commissions have been suspended or revoked, or who have been disqualified from being commissioned as notary public, unless they have been granted judicial clemency or clemency extended by the appropriate disciplining authorities and expressly allowed to be considered for positions in the Judiciary, the Office of the Ombudsman, and the LEB;
3. Applicants who have been found by the Council to have willfully made false statements, misrepresentations, or concealments of material information in their PDS and other documents in support of their applications;
 4. Applicants who are found by the JBC to have committed transgressions that affect their integrity; and
 5. Applicants who have been found by the Council to have solicited a vote by approaching or communicating with any Council Member or officer.

To ensure the independence of the Council, its office shall be accessible only for scheduled interviews, psychological and psychiatric evaluations, filing of applications and documentary requirements, and other authorized official business.

^{*} As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the *2020 Revised Rules of the Judicial and Bar Council* [JBC No. 2020-01]).

RULE 5

INDEPENDENCE

SECTION 1. *Evidence of Independence.* – Any evidence relevant to the applicants' independence such as, but not limited to, decisions they have rendered if they are incumbent members of the Judiciary, or reflective of the wisdom and soundness of their judgment, courage, rectitude, impartiality, cold neutrality, fortitude, and strength of character shall be considered.

SEC. 2. *Testimonials of Independence.* – The Council may likewise consider validated testimonies of the applicants' independence from reputable officials and impartial organizations, or even outstanding citizens.

SEC. 3 *Conflict of Interest.* – The Council shall look into the applicants' personal, social, and professional relationships; business interests; and financial connections to obviate conflict of interest. It shall determine whether such, singly or collectively, may give rise to a potential conflict of interest that may impede their impartiality or ability to remain independent and unshackled by personal predilections or extraneous influence once they assume office.

During their incumbency and within one year from their retirement or resignation, the JBC Regular Members are not eligible to apply for any position in the Judiciary or in any office where the JBC participates in the selection process.

RULE 6

COMPREHENSIVE MEDICAL EXAMINATIONS AND PSYCHOLOGICAL AND PSYCHIATRIC EVALUATIONS

SECTION 1. *Policy.* – Good physical and mental health, and sound psychological and emotional state of the applicants are indispensable to ensure their ability to perform the functions and duties of the positions they are applying for.

SEC. 2. *Comprehensive Medical Examinations.* – Applicants shall submit a medical certificate issued by a government medical doctor, who must not be a relative of the applicants within the fourth degree of consanguinity or affinity. The medical certificate must be issued based on the results of their comprehensive medical examinations conducted not earlier than six (6) months to be determined from the date of the deadline for the submission of the required documents.

SEC. 3. *Psychological and Psychiatric Evaluations.* – Applicants shall submit themselves to psychological and psychiatric evaluations to be conducted by the Council’s psychologists and psychiatrists. The evaluation results shall be valid for three (3) years to be reckoned from the date of completion of the examination, as the starting point, to the date of the first deliberation as the end date. Applicants may, however, be required to take follow-up examination during the validity period if, after consultation by the Executive Committee with the Council’s psychologists and psychiatrists, it is determined that there is a need to clarify previous results. The results of the examination are strictly confidential and are to be used solely by the Council for evaluation purposes only.

RULE 7

WRITTEN EVALUATIVE EXAMINATIONS AND PERSONAL INTERVIEWS

SECTION 1. *Written Evaluative Examinations.* – To test their ability to effectively express their thoughts and ideas in writing, knowledge of the law, and legal writing skills, all applicants shall submit themselves to written evaluative examinations.

SEC. 2. *Interviews of the Applicants.* – The interviews of the applicants shall be conducted by the Council to, *inter alia*, observe their personality, demeanor, deportment, and physical condition; assess their ability to express themselves, especially in the language of the law in court trials or proceedings and in their decisions or rulings; test their mastery of the law, jurisprudence, and legal principles; inquire into their philosophies and values; determine their probity and independence of mind; and evaluate their readiness and commitment to assume and fulfill the duties and responsibilities of the position they are applying for.

The interviews of applicants for the positions of members of the Supreme Court, Court of Appeals, Sandiganbayan, Court of Tax Appeals, and Shari’ah High Court; Ombudsman, Deputy Ombudsman, and Special Prosecutor; and Chairperson and Regular Members of the LEB shall be conducted in public by the Council *En Banc*.

For this purpose, the list of applicants, as well as the dates and places of interview, shall be published once in two (2) newspapers of general circulation in the Philippines. The applicants shall be notified of the date and place of the interviews at the earliest opportunity.

Access by the media to the interviews shall be subject to the rules that the Council has promulgated.*

During the interview, only the Members of the Council can ask questions and, at their discretion, read relevant questions suggested by the public.

The personal interviews of applicants for first and second level courts shall be conducted by the individual Regular Members of the Council after the list of the applicants therefor shall have been published once in two (2) newspapers of general circulation in the Philippines. The schedules of the interview shall be posted on the JBC website, and the applicants shall be informed thereof at the earliest opportunity.*

The interview of applicants for the lower courts shall remain valid for one (1) year from the date of interview in case of one-time simultaneous applications for different stations of the same level though covering different regions.*

Any member of the Council has the discretion to recall any of the applicants for interview.*

RULE 8

VOTING REQUIREMENTS

SECTION 1. *Appointment to the Supreme Court.* - In the selection of nominees for a vacancy in the Supreme Court, the Council must consider their age with a view to discourage the appointment of those who would not be able to serve it for a reasonably sufficient time.

For the position of Associate Justice or Chief Justice of the Supreme Court, the Council shall consider applicants only if they

1. shall have at least two and one-half (2.5) years remaining to serve as an Associate Justice or Chief Justice of the Supreme Court if they have served as*
 - a. Associate Justice or Presiding Justice of an appellate court;
 - b. Court Administrator;
 - c. Chairperson of a Constitutional Commission;
 - d. Solicitor General; or
 - e. Department Secretary; or

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the 2020 Revised Rules of the Judicial and Bar Council [JBC No. 2020-01]).

Provided, that this requirement shall not apply to incumbent justices of the Supreme Court applying for the vacant position of the Chief Justice.*

2. have at least five (5) years remaining to serve as an Associate Justice or Chief Justice of the Supreme Court, if they had not served in any of the positions in the immediately preceding paragraph or if they are private practitioners.*

Applicants who are Division Chairpersons of the appellate courts shall be given preference to foster careerism in the Judiciary.

The respective periods shall be reckoned from the expiration of the ninety-day period for the President to appoint an Associate Justice or a Chief Justice of the Supreme Court up to the date of the compulsory retirement of the applicants.

In every case involving an appointment to a seat in the Supreme Court, the Council shall give due weight and regard to the recommendees of the Supreme Court. For this purpose, the Council shall submit to the Court a list of candidates with their profile matrices from which the Court may base the selection of its recommendees.

SECTION 2. *Final Deliberation and Voting.* – The final voting of nominees for appointment may be done in an executive session after the Council *En Banc* shall have extensively discussed and meticulously deliberated on the qualifications and fitness of the applicants.

SEC. 3. *Votes Required for Inclusion as Nominees.* – For applicants for judgeship positions in lower courts to be included in the list of nominees, they should obtain an affirmative vote of a Member.*

For applicants for positions in appellate courts, the Ombudsman, the Deputy Ombudsman, the Special Prosecutor, and the LEB Chairperson and Members to be included in the list of nominees, they should obtain the affirmative votes of at least four (4) Members of the Council.*

SEC. 4. *Limitation on the Number of Nominees for Each Vacancy.* – A deep selection process shall be adopted to nominate the brightest, most qualified, most competent, and most suitable applicants for the vacant posts. In no case shall the number of nominees for every vacancy be more than seven (7) unless there is a tie; provided,

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the 2020 Revised Rules of the Judicial and Bar Council [JBC No. 2020-01]).

however, that when there are less than three (3) nominees obtaining at least four (4) votes, as required by the preceding paragraph, the Council *En Banc* shall conduct another round of voting from the remaining applicants until there are at least three (3) qualified nominees for every vacancy.

RULE 9

EFFECTIVITY OF THE RULES


SECTION 1. These amendments to the *2020 Revised Rules of the Judicial and Bar Council* shall take effect on 18 January 2022 and shall be published in two (2) newspapers of general circulation in the Philippines not later than 18 October 2021.*

Approved and promulgated this 15th day of October 2021.



ALEXANDER G. GESMUNDO

Chief Justice and JBC *Ex Officio* Chairperson



MENARDO I. GUEVARRA

Secretary of Justice and JBC *Ex Officio* Vice Chairperson



RICHARD J. GORDON

Chairperson of the Committee on Justice
and Human Rights of the Senate of the Philippines
and JBC *Ex Officio* Member Representing Congress

* As amended on 15 October 2021 per JBC Resolution No. 03-2021 (Resolution Amending Certain Provisions of the *2020 Revised Rules of the Judicial and Bar Council* [JBC No. 2020-01]).



VICENTE S.E. VELOSO III

Chairperson of the Committee on Justice
and Human Rights of the House of Representatives
and JBC *Ex Officio* Member Representing Congress



JOSE CATRAL MENDOZA

JBC Regular Member Representing the
Retired Members of the Supreme Court



TORIBIO E. ILAOG, JR.

JBC Regular Member Representing the
Private Sector



NOEL GIMENEZ TIJAM

JBC Regular Member Representing the
Academe



FRANKLIN J. DEMONTEVERDE

JBC Regular Member Representing the
Integrated Bar of the Philippines