



Republic of the Philippines  
Supreme Court  
Manila

EN BANC

NOTICE

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated **MAY 4, 2021**, which reads as follows:

**“A.M. No. 10-4-20-SC (Re: Internal Rules of the Supreme Court) –**  
The Court Resolved to

(a) **NOTE** the Letter dated May 3, 2021 of Senior Associate Justice Estela M. Perlas-Bernabe, addressed to Chief Justice Alexander G. Gesmundo and all Associate Justices of the Court, relative to the proposed amendments to the Internal Rules of the Supreme Court (IRSC), for the *Banc’s* consideration; and

(b) **APPROVE** the following proposed amendments to the IRSC:

(i) Increase the penalty threshold for administrative cases to be elevated to the Court *En Banc*, found in Rule 2, Section 3 (e), from suspension ‘for a period of more than one year, or a fine exceeding forty thousand pesos’ to suspension ‘for a period of more than two (2) years, or a fine in the total amount exceeding one hundred thousand pesos (P100,000.00)’;

(ii) Limit the cases to be elevated to the Court *En Banc* involving the lifting of judges’ or lawyers’ suspension, found in Rule 2, Section 3 (f), to those cases only where the imposed periods of suspension are more than two (2) years;

(iii) Shorten the period for distribution to the other Members of the Court of the Member-in-Charge’s report on a case prior to its scheduled Agenda date, found in Rule 13, Section 3 (c), from ‘at least seven days in advance’ to ‘at least three

*See*

(3) working days prior to the scheduled Agenda date’;

(iv) Change the permissible total period of continuances in the deliberation of cases, found in Rule 13, Section 4, from ‘shall not exceed three months’ to ‘shall not exceed the periods provided in Section 5 (b) of this Rule’; and

(v) In Rule 13, Section 5, prescribe a period of one (1) month within which to submit reflections, comments, or suggestions, and a period of two (2) weeks to resolve the case thereafter, unless further extension is allowed by the Court for compelling reasons only and upon the recommendation of the Member-in-Charge.

Accordingly, the Court Resolved to **AMEND** Rule 2, Section 3 (e) and (f), and Rule 13, Sections 3 (c), 4 and 5 of the IRSC, to read as follows:

Rule 2  
THE OPERATING STRUCTURES

X X X X

Section 3. Court *en banc* matters and cases. – The Court *en banc* shall act on the following matters and cases:

X X X X

(e) cases where the penalty recommended or to be imposed is the dismissal of a judge, official or personnel of the Judiciary, the disbarment of a lawyer, the suspension of any of them for a period of more than **two (2) years**, or fine **in the total amount exceeding one hundred thousand pesos (P100,000.00)**;

X X X X

(f) cases involving the reinstatement in the judiciary of a dismissed judge, the reinstatement of a lawyer in the roll of attorneys, or the lifting of a judge’s suspension or a lawyer’s suspension from the practice of law **when the imposed period of suspension is more than two (2) years**;

X X X X

Rule 13  
DECISION-MAKING PROCESS

X X X X

Section 3. *Actions and decisions, how reached.* – The actions and decisions or resolutions of the Court whether *en banc* or through a Division, shall be arrived at as follows:

X X X X

- (c) *Decision or Resolution.* – When a case is submitted for decision or resolution, the Member-in-Charge shall have the same placed in the agenda of the Court for deliberation. He or she shall submit to the other Members of the Court, at least **three (3) working days prior to the scheduled agenda date**, a report that shall contain the facts, the issue or issues involved, the arguments of the contending parties, and the laws and jurisprudence that can aid the Court in deciding or resolving the case. **No case shall be submitted for deliberation unless the report is circulated at least three (3) working days prior to the scheduled Agenda date.**

In consultation, the Members of the Court shall agree on the conclusion or conclusions in the case, unless a Member requests a continuance and the Court grants it.

Section 4. *Continuance in deliberations.* – The deliberation in a case may be adjourned to another date to enable the Member who requested it to further study the case; provided, however, that the total period of continuances in the deliberation shall not exceed **the periods provided in Section 5 (b) of this Rule.**

**[Second paragraph of the former IRSC is deleted.]**

Section 5. *Decision-making process.* – a) **Upon inclusion of the Member-in-Charge's report in the agenda for deliberation, the Members may vote for the final action in the case on the scheduled date of deliberation.**

b) A Member who **disagrees** or agrees with the **Member-in-Charge's report and** recommended action but based on different reason or reasons may submit **to the Chief Justice or Division Chairperson, furnishing a copy to the other Members, his or her written reflections, comments, or suggestions.**

The final versions of all written reflections, comments, or suggestions, as well as the report of the Member-in-Charge relative thereto, must be submitted within a period of one (1) month from the date that the Member-in-Charge's initial report was first included in the agenda for deliberation. Thereafter, the Member-in-Charge shall set the case for deliberation within two (2) weeks from the expiration of the aforementioned one (1)-month period, during which setting the case shall be voted on for final action by all the Members. The foregoing periods shall not be extended, unless a further extension is allowed by the Court for compelling reasons only, and upon the recommendation of the Member-in-Charge.

**[Paragraphs (c) and (d) of the former IRSC are deleted.]**

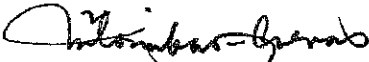
c) The Court shall then assign to a Member the writing of its opinion based on the result of the voting. The Member assigned shall submit the majority opinion and the other Members may submit his or her dissenting, separate, or concurring opinions based solely on the final versions voted upon.

d) The majority opinion together with the other opinions shall be simultaneously **submitted to** the Chief Justice or the Division Chairperson **for promulgation and release** as official Court actions in the case.

e) Considering the collegial nature of Court actions, a Member's vote during the final deliberation on a case cannot be unilaterally changed. **[Amendments in bold]**"

(adv21)

By authority of the Court:

  
**MARIFE M. LOMBAO-CUEVAS**  
Clerk of Court