



**Supreme Court of the Philippines**  
**MANDATORY CONTINUING LEGAL EDUCATION OFFICE**  
4<sup>th</sup> Floor, IBP Building  
15 Doña Julia Vargas Avenue  
Ortigas Center, Pasig City

**MCLE Governing Board Resolution No. 001-2015**

**(Resolution imposing safeguards and other requirements on “not in law practice, public or private” as ground for exemption from the MCLE as provided under Section 2 (a), Rule 7 of Bar Matter No. 850.)**

WHEREAS, Section 2 (a), Rule 7 of Bar Matter No. 850 provides for other parties exempted from the MCLE, which includes members of the Bar who are not in law practice, public or private;

WHEREAS, a considerable number of applications for exemption has been filed with the MCLE Office specifying such ground for exemption;

WHEREAS, that ground for exemption from the MCLE may be abused by those who want to avoid compliance with the required continuing mandatory legal education as mandated under Bar Matter No. 850;

WHEREAS, the Integrated Bar of the Philippines (IBP) recommends<sup>1</sup> that the MCLE Board install safeguards in order that said ground may not be abused by anyone and only those who are actually not in law practice, public or private, shall qualify for exemption;

WHEREAS, for purposes of this Resolution, “practice of law” shall be defined as any activity, in or out of court, which requires the application of law, legal procedure, knowledge, training and experience. Practice of law under modern conditions consists in no small part on works performed outside of court and having no immediate relation to proceedings in court<sup>2</sup>;

**WHEREFORE**, to safeguard “not in law practice, public or private” as a ground for exemption from the MCLE, the applicant must submit, together with the verified application for exemption, an affidavit that he/she is not engaged and will not engage in the practice of law, public or private, for the entire duration of the compliance period/s applied for. Should at any time before the expiration of the compliance period for which exemption was granted, he/she should decide to engage in the practice of law or should his/her employment or other endeavor eventually involve the practice of law as defined herein, he/she shall comply with the requirements of the MCLE.

In addition, any member of the Bar found using this ground purposely to avoid compliance with the MCLE shall be declared non-compliant and shall bear the

<sup>1</sup> Letter dated 22 May 2015 of IBP National President Vicente M. Joyas

<sup>2</sup> Cayetano vs. Monsod, G.R. No. 100113, 03 September 1991



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consequences of non-compliance as provided for under Section 2, Rule 13 of Bar Matter No. 850.

The MCLE Governing Board may require other proofs restricting the ground "not in law practice, public or private".

For purposes of exemption under this ground, the applicant shall pay the amount of P1,000.00 as exemption fee and P1,000.00 as non-compliance fee.

24 June 2015

**APPROVED BY:**

**MCLE GOVERNING BOARD**

**BERNARDO P. PARDO**

Chairman

**DANILO L. CONCEPCION**

Member

**SEDFREY M. CANDELARIA**

Member

**ERNESTO P. MACEDA, JR.**

Member

**VICENTE M. JOYAS**

Member