



**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. 05-2019**

**(Resolution Prescribing the Automatic Exemption from the  
MCLE of All Incumbent and Retired Members of the  
Judiciary)**

**WHEREAS**, all incumbent and retired members of the judiciary are exempted from the MCLE pursuant to Rule 7, Section 1 (c), Bar Matter No. 850;

**WHEREAS**, all exempt lawyers under Rule 7, Section 1, Bar Matter No. 850 are required to file their Attestation of Exemption and the non-filing thereof constitutes non-compliance under Section 1, Rule 12, Bar Matter No. 850, including members of the judiciary, except justices of the Supreme Court, pursuant to A.M. No. 04-5-17-SC (Re: Request of the Supreme Court Association of Lawyer-Employees [SCALE] from Payment of the MCLE Exemption Fee), which provides:

*"Accordingly, pursuant to its authority under Section 5 (5), Article VIII of the Constitution to promulgate rules concerning the Integrated Bar, the Court Resolved that in the implementation of the Revised Mandatory Continuing Legal Education Rules and the MCLE Implementing Regulations with respect to lawyers exempt from compliance therewith, the MCLE Office shall observe these guidelines:*

*1. All expressly exempt lawyers shall be required to submit an attestation of exemption to complete their respective compliance cards. These expressly exempt lawyers include Members of the Judiciary, except the Chief Justice and Associate Justices whose exemption is of judicial notice to the MCLE Office, all Court Officials with the rank, salary and privileges of Members of the Judiciary, all lawyers holding government positions enumerated in Section 1, Rule 7, and all lawyers covered by Section 2, Rule 7.*

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*"The Board should "take judicial notice" of Section 1 (c) of Rule 7 of the Rules that expressly exempts lawyers employed in the*

*Court, as well as the Chief Justice, the Associate Justices, Members of the Judiciary and Court Officials who hold the rank, salary and privileges of members of the Court. However, to exempt all the Members of the Judiciary and those similarly expressly exempt from compliance with the documentation requirement may result in administrative difficulties. The MCLE Office may only 'take judicial notice' of who are the lawyers holding positions of Chief Justice and Associate Justices of the Court"*

**WHEREAS**, with the onset of technology and digitization of records, the administrative difficulties in taking judicial notice of all members of the judiciary as mentioned in A.M. No. 04-5-17-SC may no longer exist;

**WHEREAS**, the records of incumbent, retired, resigned, deceased, suspended and dismissed members of the judiciary as of the current 7<sup>th</sup> MCLE compliance period are readily available from the Office of the Court Administrator (OCA);

**WHEREAS**, to simplify and expedite the procedure for the exemption of members of the judiciary, the individual filing of Attestation of Exemption may be dispensed with and the MCLE Office may automatically issue certificates of exemption to all incumbent and retired members of the judiciary based on a list to be provided by the OCA;

**WHEREAS**, notwithstanding the automatic exemption from the MCLE of members of the judiciary starting the 7<sup>th</sup> compliance period, there is concomitant obligation on their part to settle all penalties<sup>1</sup> for non-compliance and/or late filing of Attestation for Exemption for the past compliance period/s, before the corresponding certificate/s of exemption for the current compliance period may be issued;

**WHEREFORE**, in view of the foregoing, the Board resolves that:

1. All incumbent and retired members of the judiciary are no longer required to file an Attestation of Exemption and are considered automatically exempted from the MCLE starting this current 7<sup>th</sup> MCLE compliance period based on the lists/records to be submitted by the Office of the Court Administrator to the MCLE Office;
2. The MCLE Office should automatically issue the corresponding certificates of exemption of all incumbent and retired members of the judiciary

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<sup>1</sup> Pursuant to Bar Matter No. 850, its Implementing Regulations and the Guidelines for Collection of MCLE Fees and the Utilization and Disbursement of MCLE Fund

commencing on the 7<sup>th</sup> MCLE compliance period and every compliance period thereafter based on the lists/records to be secured from/submitted by the OCA. Further, the OCA is requested to immediately update the MCLE Office of any new appointment, retirement, resignation, death, suspension or dismissal from the service;

3. Penalties for non-compliance and/or late filing fee for the past compliance period/s<sup>2</sup> are not deemed waived and shall be assessed and should be settled prior to issuance of the corresponding certificate/s of exemption for the current compliance period;
4. For purposes of clarification, no exemption fee is required of all incumbent and retired members of the judiciary and all other exempt lawyers enumerated under Rule 7, Section 1, Bar Matter No. 850.

This Resolution shall take effect upon approval of the Supreme Court.

03 September 2019

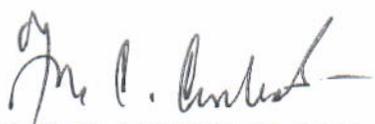
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<sup>2</sup> 1<sup>st</sup> to 6<sup>th</sup> Compliance Periods