

## Republic of the Philippines Supreme Court Manila

SUPREME COURT OF THE PHILIPPINES

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TIME

EN BANC

## ΝΟΤΙCΕ

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated APRIL 12, 2022, which reads as follows:

"**B.M. No. 3860** (*Re: Grading System for the 2020/21 Bar Examinations*)

## RESOLUTION

**WHEREAS**, the Supreme Court has the constitutional authority to promulgate rules concerning admission to the practice of law;<sup>1</sup>

WHEREAS, pursuant to this constitutional authority, the Supreme Court adopted Rule 138, Section 14 of the Rules of Court,<sup>2</sup> providing for the average required to pass the bar examinations and the relative weight of each subject comprising the bar examinations;

WHEREAS, pursuant to the same authority, the Supreme Court adopted its Resolution dated August 3, 2021 in Bar Matter No. 3860, amending Rule 138, Section 14 of the Rules of Court;

WHEREAS, 2020/21 Bar Examinations Chairperson, Associate Justice Marvic M.V.F. Leonen, proposed several reforms toward a more equitable bar examinations;<sup>3</sup>

<sup>2</sup> RULES OF COURT, Rule 138, sec. 14 provides:

<sup>&</sup>lt;sup>1</sup> CONST., Art. VIII, sec. 5(5).

SECTION 14. Passing Average. — In order that a candidate may be deemed to have passed his examinations successfully, he must have obtained a general average of 75 per cent in all subjects, without falling below 50 per cent in any subject. In determining the average, the subjects in the examination shall be given the following relative weights: Civil Law, 15 per cent; Labor and Social Legislation, 10 per cent; Mercantile Law, 15 per cent; Criminal Law; 10 per cent; Political and International Law, 15 per cent; Taxation, 10 per cent; Remedial Law, 20 per cent; Legal Ethics and Practical Exercises, 5 per cent.

<sup>&</sup>lt;sup>3</sup> Bar Matter No. 3781, October 6, 2020.

WHEREAS, among the reforms adopted by the Court in Section 3 of Bar Matter No. 3860 is a mechanism for recognition of exemplary performance in the 2020/21 Bar Examinations, replacing the traditional recognition of topnotchers;

WHEREAS, such mechanism was adopted in consideration of how the COVID-19 pandemic and the consequent declaration of a public health emergency exacerbated the conventional difficulties that bar examinees contend with;

WHEREAS, Section 3 of Bar Matter No. 3860 was adopted as a *pro hac vice* mechanism and with an awareness that the recognition of an exclusive circle of topnotchers rests on relative numerical vantage rather than established uniform and reliable standards on what amounts to performance warranting extraordinary recognition;

WHEREAS, this Court recognizes that further recognition is proper to those examinees who have excelled in completing the 2020/21 Bar Examinations;

**NOW, THEREFORE**, acting on the recommendations of Associate Justice Marvic M.V.F. Leonen and to facilitate further recognition of the excellent performance of certain examinees *pro hac vice*, this Court, sitting *En Banc*, resolves to **AMEND** Section 3 of Bar Matter No. 3860, as follows:

Section 3. Recognition for Exemplary and Excellent Performance. — An examinee who obtains a total weighted score equivalent to 85.00% to 90.00% for the 2020/21 Bar Examinations shall be recognized for exemplary performance in the bar examinations.

An examinee who obtains a total weighted score higher than 90.00% for the 2020/21 Bar Examinations shall be recognized for excellent performance in the bar examinations.

The Supreme Court shall make publicly available the list of examinees who have earned recognition for exemplary and excellent performance."

## *(Original signed)* ALEXANDER G. GESMUNDO Chief Justice

(Original signed) ESTELA M. PERLAS-BERNABE Senior Associate Justice

(Original signed) ALFREDO BENJAMIN S. CAGUIOA Associate Justice

> *(Original signed)* AMY C. LAZARO-JAVIER Associate Justice

(Original signed) RODIL V. ZALAMEDA Associate Justice

*(Original signed)* SAMUEL H. GAERLAN Associate Justice

*(Original signed)* JHOSEP Y. LOPEZ Associate Justice

*(Original signed)* JOSE MIDAS P. MARQUEZ Associate Justice (Original signed) MARVIC M.V.F. LEONEN Associate Justice

(Original signed) RAMON PAUL L. HERNANDO Associate Justice

*(Original signed)* **HENRI JEAN PAUL B. INTING** Associate Justice

> *(Original signed)* MARIO V. LOPEZ Associate Justice

*(Original signed)* **RICARDO R. ROSARIO** Associate Justice

*(Original signed)* JAPAR B. DIMAAMPAO Associate Justice

*(Original signed)* **ANTONIO T. KHO, JR.** Associate Justice

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By authority of the Court:

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MARIFE M. LOMIBAO-CUEVAS Clerk of Court

B.M. No. 3860 April 12, 2022

HON. ALEXANDER G. GESMUNDO (x) Chief Justice HON. ALFREDO BENJAMIN S. CAGUIOA (x) HON. RAMON PAUL L. HERNANDO (x) HON. AMY C. LAZARO-JAVIER (x) HON. HENRI JEAN PAUL B. INTING (x) HON. RODIL V. ZALAMEDA (x) HON. MARIO V. LOPEZ (x) HON. SAMUEL H. GAERLAN (x) HON. RICARDO R. ROSARIO (x) HON. JHOSEP Y. LOPEZ (x) HON. JAPAR B. DIMAAMPAO (x) HON. JOSE MIDAS P. MARQUEZ (x) HON. ANTONIO T. KHO, JR. (x) HON. MARIA FILOMENA D. SINGH (x) Associate Justices Supreme Court

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