

Republika ng Pilipinas
(Republic of the Philippines)
MINISTRI NG EDUKASYON, KULTURA AT ISPORTS
(MINISTRY OF EDUCATION, CULTURE AND SPORTS)
Maynila

January 21, 1983

MECS O R D E R
No. 4, s. 1983

PERFORMANCE APPRAISAL SYSTEM (PAS) FOR LAWYERS
PERFORMING LEGAL FUNCTIONS

To: Bureau Directors
Regional Directors
Chiefs of Services and Heads of Units
Schools Superintendents
Presidents, State Colleges and Universities
Vocational School Superintendents/Administrators

1. Inclosed is a copy of Memorandum-Circular No. 2, s. 1982, of the Civil Service Commission prescribing the Performance Appraisal System (PAS) for lawyers performing legal functions, which is self-explanatory.
2. It is desired that this Order be brought to the attention of all concerned for their information and guidance.
3. Compliance is requested.

(SGD.) ONOFRE D. CORPUZ
Minister

Incl.:
As stated

Reference:
None

Allotment: 1--(D.O. 1-76)

To be indicated in the Perpetual Index
under the following subjects:

BUREAUS & OFFICES
OFFICIALS

RATING
RULES & REGULATIONS

(Inclosure to MECS Order No. 4, s. 1983)

Republika ng Pilipinas
KOMISYON NG SERBISYO SIBIL
(CIVIL SERVICE COMMISSION)
M a n i l a

MC # 2, s. 1982

MEMORANDUM - CIRCULAR

TO : ALL HEADS OF MINISTRIES, BUREAUS, AND AGENCIES
OF THE NATIONAL GOVERNMENT, INCLUDING GOVERN-
MENT-OWNED AND CONTROLLED CORPORATIONS

SUBJECT : Implementation of the Performance Appraisal System
(PAS) for Lawyers Performing Legal Functions

One of the significant findings on the monitoring program on the implementation of the new Performance Appraisal System conducted by the Civil Service Commission in 1979-1980 was the difficulty of quantifying the expected results of lawyers which evidently, has adversely affected target-setting as well as the objective rating of employee performance in this occupational group. Considering this, lawyers performing legal functions felt the need of modifying the model appraisal system so as to suit the peculiar nature of their job.

The Civil Service Commission, through its Merit Systems Board, took the lead in modifying the model appraisal system. In its process of modification it solicited from the Council of Legal Officers comments and suggestions which provided significant inputs into the modified system. Consequently, the members of the Council of Legal Officers signified their intention of adopting the revised appraisal system for lawyers performing legal functions in their respective offices.

In view thereof and in order to enhance the objective evaluation of lawyers' performance in carrying out their duties and responsibilities, the new Performance Appraisal System for lawyers is hereby prescribed for adoption in all agencies and offices of the national government effective January 1, 1982.

For guidance of all concerned attached is a copy of the above system.

(SGD.) ALBINA MANALO-DANS
Commissioner

(SGD.) FILEMON U. FERNANDEZ, JR.
Commissioner

February 24, 1982

A true copy

PERFORMANCE APPRAISAL SYSTEM
(FOR LAWYERS)

This is a Performance Appraisal System (PAS) for lawyers involved in quasi-judicial and other legal services of the various Ministries and Agencies. The Performance Appraisal Form (PAF) consists of two parts. Part I is the instrument that records the assessment of lawyer's actual performance in a supervisory or non-supervisory capacity while Part II refers to the critical factors affecting performance. It is simple, easy to administer and practical.

THE PERFORMANCE APPRAISAL FORM (PAF)

(PART I)

Column I - Objective - This indicates what is to be done.

Column II - Nature of Task - This describes the kind of task to be done which includes the preparation of a decision in an administrative or non-disciplinary case, an opinion or ruling, an order, an investigation or a hearing to be conducted. It also refers to the preparation of a letter, an indorsement, a referral, or any other communication. This may also include any other kind of special or intervening assignments.

Administrative or non-disciplinary cases may be categorized as: SIMPLE - where on the basis of documents/papers or records on file a decision can be made. DIFFICULT - where the case has to be referred to the Ministry or Agency concerned for further comment/information, would require further research and study, and would entail more time and effort to finish; and COMPLICATED - where aside from being difficult, this case would require further investigation or formal hearing, hence, a longer period would be needed to dispose of this case. Moreover, there are other contributory factors affecting the period within which to attend to, or dispose of, this case. By and large, these are partially, if not wholly

attributable to the parties themselves, their counsels and respective witnesses. Further, that attendance and availability of these persons at scheduled hearings are beyond the control of the Board or the Agency concerned.

Column III - Time Frame - This indicates the period within which a particular task has to be completed, as for example:

Simple Case - - - - - 5-10 days
Difficult Case - - - 15 days to 2 months
Complicated Case - - 3 to 5 months
(Period which is flexible depending upon the circumstances)

Column IV - Output (Quantity) - This identifies the completed task which includes but is not exclusive of the following: number of decisions drafted and number of decisions reviewed or finalized.

Column V - Performance Rating Factors - The Column indicates the ratable factors, namely: CONTENT/SUBSTANCE, FORM, ACCEPTABILITY, TIMELINESS, and QUANTITY.

Column VI - (Average Ratings) - In this column, the average rating for each category of tasks accomplished or completed for the current period of evaluation should be indicated. Category, in this case, refers to the type of assigned tasks accomplished, such as Decision (disciplinary); Decision (Protests and non-disciplinary cases); Opinions/Rulings; Orders; Referrals; Trial and Investigation (Counsel or Prosecutor or Hearing Officer or Board Secretary as the case may be) and so forth. The total point score, the final average point score, and the equivalent point score are, and should be, indicated at the bottom of this column.

PERFORMANCE STANDARDS

These refer to the criteria used in assessing the performance of a lawyer as described in the succeeding paragraphs. These standards are applicable to lawyers who are performing in their agencies either supervisory or non-supervisory legal function.

I. Decisions - Disciplinary, Protest and Non-Disciplinary Cases

A. Content/Substance

1. Complete and logical presentation of essential or material facts
2. Accurate presentation of pivotal or prejudicial issues and corollary ones, if any
3. Accurate citation of pertinent authorities (laws, rules, regulations, precedents, jurisprudence)
4. Correct assessment/appreciation of evidence presented and proved
5. Findings/conclusions are in accordance with facts proved, and existing laws, rules, regulations, jurisprudence cited
6. Statement of appropriate penalty or sanction imposed, or of remedy, relief sought, or action taken in non-disciplinary cases.

B. Form

1. Organization/Coherence - is characterized by the proper and logical groupings of antecedent facts, ideas and arguments so as to produce a harmonious whole and a cumulative and mass effect of persuasiveness.
2. Language/Style - statements/paragraphs in a decision must be written or couched in understandable language and style which is neither labored nor obscure. The tone of the language used must be impersonal and objective in order to obviate impression of bias or prejudice.
3. Grammar - is characterized by correct spelling of words, tenses of verbs used, persons, numbers, apt modifiers, adverbs, adjectives, phrasing, punctuation, etc.

4. Diction - in written communication, is characterized by the choice of appropriate words, terms, phrases, idiomatic expressions and so forth which connote or convey the meaning intended.

C. Acceptability - (Degree of Acceptability)

1. Adopted in toto with no correction
2. Modification/correction - minimal
3. Substantial modification/amendments
4. 75% correction/amendment made
5. Unacceptable

D. Timeliness - (Promptness in the Accomplishment of Task)

1. Completed 1 month before target date
2. Completed 15 days before target date
3. Completed on target date
4. Completed after target date
5. Unacted/unfinished for some time

E. Quantity (Percentage of Accomplishment)

1. 90% - 100%
2. 80% - 89%
3. 70% - 79%
4. 60% - 69%
5. 50% - 59%

II. Opinions and Rulings

A. Content/Substance

1. Complete and logical presentation of antecedent facts

2. Correct statement of main issues and corollary ones, if any
3. Accurate citation of applicable authorities
4. Correct analysis of facts, applicable laws and other authorities
5. Correct findings/conclusions
6. Whenever an earlier opinion/ruling is reversed or modified, a statement to that effect.

B. Form

1. Organization/Coherence - is characterized by the proper and logical groupings of antecedent facts, ideas, arguments so as to produce a harmonious whole and a cumulative and mass effect or persuasiveness.
2. Language/Style - statements/paragraphs in a decision must be written or couched in understandable language and style which is neither labored nor obscure. The tone of the language used must be impersonal and objective in order to obviate impression of bias or prejudice.
3. Grammar - is characterized by correct spelling of words, tenses of verbs used, persons, numbers, apt modifiers, adverbs, adjectives, phrasing, punctuations, etc.
4. Diction - in written communication, is characterized by the choice of appropriate words, terms, phrases, idiomatic expressions and so forth which connote or convey the meaning intended.

C. Acceptability - (Degree of Acceptability)

1. Adopted in toto with no correction
2. Modification/correction - minimal
3. Substantial modifications/amendments
4. 75% correction/amendment made
5. Unacceptable

D. Timeliness - (Promptness in the Accomplishment of Tasks)

1. Completed 1 month before target date
2. Completed 15 days before target date
3. Completed on target date
4. Completed after target date
5. Unacted/unfinished for some time

E. Quantity - (Percentage of Accomplishments)

1. 90% - 100%
2. 80% - 89%
3. 70% - 79%
4. 60% - 69%
5. 50% - 59%

III. Preliminary Investigation

1. Thoroughness in eliciting material and relevant facts from complainant, witnesses, and other parties
2. Proper deportment and business-like behavior shown by investigator-lawyer assigned
3. Adherence to established rules of procedures
4. Accurate and prompt report and recommendation

IV. Formal Investigation/Hearing

A. For Hearing Officer

1. Adherence to established rules of procedure
2. Correct and prompt ruling on, or disposition of, objections, motions, manifestations, etc. of counsels
3. Proper control of the proceedings as well as the conduct of parties, their counsels and witnesses

4. Proper attire and business-like behavior in order to obviate impressions of partiality
5. Accurate and prompt report, summation and recommendation

B. For Counsel

1. Correct and expeditious presentation of the case in accordance with the established rules of practice and procedure
2. Proper attire and business-like deportment and behavior
3. Demonstrate skills in advocacy and extent of preparation made

c. Secretary to the Board/Clerk of Court

1. Thorough knowledge of the facts and progress of the proceedings in the case
2. Proper attire and deportment
3. Prompt preparation/transmittal of subpoenas, subpoena duces tecum and other interlocutory orders
4. Prompt and correct marking of exhibits and other evidence presented and admitted
5. Prompt action on oral directives issued in open court by the Board of hearing officer assigned

V. Orders

A. Content/Substance

1. Language is clear, concise and not subject to misinterpretation
2. Parties/persons include those sought to be ordered and are named correctly
3. Statement of specific directive issued and justifications therefor are included.

B. Form

1. Organization and paragraphing are logical
2. Language is clear and concise
3. Grammar is correct
4. Terms used are appropriate

C. Acceptability (Degree of Acceptability)

1. Adopted in toto with no correction
2. Modification/correction - minimal
3. Substantial modification/amendments
4. 75% correction/amendment made
5. Unacceptable

D. Timeliness (Promptness in the Accomplishment of Tasks)

1. Completed 1 month before target date
2. Completed 15 days before target date
3. Completed on target date
4. Completed after target date
5. Unacted/unfinished for some time

E. Quantity (Percentage of Accomplishment)

1. 90% - 100%
2. 80% - 89%
3. 70% - 79%
4. 60% - 69%
5. 50% - 59%

VI. Referrals/Letters. Indorsements

A. Content/Form

1. Correct addressees and their addresses
2. Correct request/message conveyed
3. No grammatical errors
4. Facts cited are accurate
5. No typographical errors

B. Acceptability (Degree of Acceptability)

1. Adopted in toto with no correction
2. Modification/correction - minimal
3. Substantial modifications/amendments
4. 75% correction/amendment made
5. Unacceptable

C. Timeliness (Promptness in the Accomplishments of Tasks)

1. Completed 1 month before target date
2. Completed 15 days before target date
3. Completed on target date
4. Completed after target date
5. Unacted/unfinished for some time

D. Quantity (Percentage of Accomplishment)

1. 90% - 100%
2. 80% - 89%
3. 70% - 79%
4. 60% - 69%
5. 50% - 59%

Assessment of Ratee
(PART I and PART II)

I. Procedure

A. Performance

1. The ratee should be assessed on the basis of his actual performance for the specific evaluation period, taking into account established standards for the accomplishment of specific tasks and functions, seminars, training courses attended and completed, and other special or intervening assignments started/completed during the period.
2. Where the ratee has accomplished 90% to 100% of his assigned tasks for the period and approximated, or excelled in the established performance standards for the accomplishment of all categories of these tasks, he should be rated 10 points for each of the factors listed in Column V of the Performance Appraisal Form.
3. However, even if he has rendered such percentage of output mentioned in No. 2, but falls short of the outstanding performance described in the preceding number (2), he should be rated 8 points for each of said criteria. If he meets the minimum standards he should be rated 6 points. If he fails to satisfy the standards but demonstrates potentials for improvement, he should be rated a point score of 4. In case he fails to meet the requirements and shows no indication of improving his performance within a specified period given, he should be rated 2 points.
4. Add all the point scores corresponding to the five (5) performance rating factors, namely: Content/Substance, Form, Acceptability, Timeliness and Quantity for each category of assigned tasks accomplished. Then divide this sum by the number of point scores. Write the resultant average score for each category of tasks in Column VI. Again, add all the average scores for all categories of tasks and divide the resultant by the

number of categories or classes of work accomplished for the period. Enter the total point score at the bottom of Column VI. Then multiply this average point score by 75% and enter the product on the equivalent point score provided at the bottom of the same Column VI.

B. Critical Factors Affecting Job Performance

1. Evaluate the rates on the critical factors: Public Relations, Punctuality and Attendance, and Potential. Give the corresponding point score and remarks for each.
2. Get the average point score of the 3 factors and enter in the space provided for.
3. Multiply the point score by 25% and enter in the space for Equivalent Point Score.

C. Performance Rating

A. Overall Point Score

1. Add the equivalent point scores of Part I and Part II. The total obtained in this process constitutes the employee's Overall Point Score.
2. Convert the overall point score into the Equivalent Numerical Rating as indicated in the conversion table below:

<u>Range of Expected Overall Point Score</u>	<u>=</u>	<u>Equivalent Numerical Rating</u>
2 - 2.899	=	2
2.9 - 4.699	=	4
4.7 - 7.499	=	6
7.5 - 9.299	=	8
9.3 - 10.000	=	10

3. If the employee was able to achieve both his regular and intervening assignments, he is given an additional point score of 2.

4. Determine his adjectival rating by matching numerical rating with corresponding adjectival rating below:

2	=	Unsatisfactory
4	=	Fair
6	=	Satisfactory
8	=	Very Satisfactory
10	=	Outstanding

- B. The rater should apprise the ratee of the assessment of his performance for the current period of evaluation so that any complaint, objection or question he may raise can be discussed and resolved before said assessment is finalized.

C. Supervisor's Recommendations

Write down your suggestions for improving employee's performance under Supervisor's Recommendations. They may include suggestions for training on specific fields such as Human Relations, Concept of Discipline, etc., as well as proposals for such personnel actions as job rotation, reassignment, promotion, etc.

- D. Accomplish the Performance Appraisal Report in triplicate - 1 copy for the ratee, 1 copy for the rater, and 1 copy for the Personnel Officer.

PERFORMANCE APPRAISAL FORM

_____ to _____ 19 _____

Period Ending _____

Part I: Performance (Supervisory/Non-Supervisory)

Rating for the Period _____

I OBJECTIVE	II NATURE OF TASK*	III T I M E F R A M E Started Finished	IV OUTPUT (QUANTITY)	V PERFORMANCE RATING FACTORS	VI AVERAGE RATING

TOTAL POINT SCORE _____
AVERAGE POINT SCORE _____
EQUIVALENT POINT SCORE _____

SIGNATURE OF RATEE _____

RATER'S SUPERVISOR _____

SIGNATURE OF RATER _____

* MAY INCLUDE INTERVENING ASSIGNMENT / JOB

PART II.

CRITICAL FACTORS AFFECTING JOB PERFORMANCE
FACTORS POINT SCORES

Remarks

1. Public Relations

2. Punctuality/Attendance

3. Potential

Total

Average Point Score

Equivalent Point Score

PART III.

PERFORMANCE RATING

A. Overall Point Score

Equivalent Numerical Rating
Additional Point Score (if any)
Total Numerical Rating
Adjectival Rating

B. Supervisor's Recommendations:

Please see definitions of Critical Factors on the reverse side of this page.

SIGNATURES:

Ratee Position _____ Date _____

Discussed with:

Rater Position _____ Date _____

Reviewed by:

Rater's Supervisor _____ Date _____
Position _____
Asst. Director/Director _____ Date _____

PUBLIC RELATIONS

Public relations shall include the individual's ability to develop harmonious relations with superiors, colleagues, and subordinates on one hand, and immediate public with which he transacts official business on the other.

PUNCTUALITY AND ATTENDANCE

The supervisor has two (2) basic references for rating punctuality and attendance. He first reviews the employee's time card. Then he compares it with his observations made as to the presence of the employee in the office. Discrepancies should be duly noted to arrive at a justifiable rating.

POTENTIAL

A potential is a possible talent, ability or skill possessed by an individual which he can further develop. In rating this factor, the supervisor shall also consider leadership, supervising abilities, creativity and innovativeness. There are employees, however, who have potentials which are not related to their present job. In cases like this, the supervisor may help the employee by recommending him to a job which is in line with his potential.