

INTEGRATED BAR OF THE PHILIPPINES

IBP National Office, Doña Julia Vargas Avenue
Ortigas Center, Pasig City

GUIDELINES FOR THE 2021 ELECTIONS OF CHAPTER OFFICERS

(for a 2-year Term beginning 01 April 2021 and ending 31 March 2023)

I. Announcement of Holding of Elections of Chapter Officers/Verification by Chapter Members

1. Not later than 20 November 2020, all IBP Chapters shall announce to their respective members, the conduct of elections for Chapter Officers nationwide, which is hereby set on **27 February 2021**, and the exact time and venue thereof, and the voting period during said date, to be determined by the Chapter's Board of Officers in accordance with par. 3 below. The announcement shall specifically mention that online voting shall, in addition to actual physical voting, be allowed.
2. The announcement shall be made in writing and signed by the Chapter President, or in his absence or incapacity, the Chapter Vice-President, and as far as practicable, posted in a bulletin board of all the first and second level courts within the territorial jurisdiction of the Chapter. The announcement shall likewise be caused to be published in social media platforms to assure widespread dissemination. A copy of these Guidelines must be appended to this announcement.
3. The Chapter Board of Officers shall forthwith meet to discuss and decide upon the venue for the elections, the time of its conduct, and the voting period. To assure the safety of members and so that remote communication will be operational during the conduct of the elections, the venue to be selected must be spacious enough to allow the observance of the government's social distancing protocol / other relevant health regulations, and can adequately receive internet /broadband signal to allow online voting and remote communications, as contemplated in item III (5) (b) (ii) below.
4. The members may verify with their respective IBP Chapter/Chapter Officers the following:
 - a. The venue and the time of the conduct of the elections, and
 - b. Their inclusion in the Chapter's Voters List as contemplated in the first and second paragraphs of Item III (1) below, and those authorized to vote online in accordance with Item III (5) (b) (2) (ii) (1) below.

II. Relevant Provisions of IBP's By Laws on Elections

Relevant provisions of IBP's By-Laws on elections, especially the following:

1. Members Qualified to become Candidates/Members in Good Standing

Only a member in good standing may become a Chapter officer and, unless otherwise provided in these By-Laws, no person who is not a member of the Integrated Bar may become an officer (*see Sec., 9, Art. I*). A member who has paid all membership dues and all authorized special assessments, plus charges owing thereon, and who is not under suspension from the practice of law or from membership privileges, is a member in good standing (*see Sec. 20, Art. II*). Except for the fiscal year 1974-1975, any member who has not paid his membership dues

for any given fiscal year on or before the last day (June 30) of the immediately preceding fiscal year shall be considered as dues-delinquent members. For the fiscal year 1974-1975 any member who has not paid the annual dues on or before November 30, 1974 shall be considered as dues-delinquent. If the delinquency continues until the following December 31, the Board of Governors shall by Resolution forthwith suspend all his membership privileges other than the practice of law. A copy of such Resolution shall be sent by registered mail to the member and to the secretary of the Chapter concerned. The Board shall promptly inquire into the cause or causes of the delinquency and take whatever action it shall deem appropriate, including a recommendation to the Supreme Court for the suspension of the delinquent member from the practice of law. Should the delinquency further continue until the following June 29, the Board shall promptly inquire into the cause or causes of the continued delinquency and take whatever action it shall deem appropriate, including a recommendation to the Supreme Court for the removal of the delinquent member's name from the Roll of Attorneys (*see Sec. 24, Art. III*).

Only members who are up to date in the payment of dues, assessments, and charges due and payable to IBP National and the Chapter concerned as of **10 February 2021** shall be considered as members of good standing.

2. Ineligibility of Certain Members From Becoming Officers

No lawyer (member) holding an elective, judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof shall be eligible for election or appointment to any position in the Integrated Bar or any Chapter thereof. A Delegate, Governor, officer or employee of the Integrated Bar, or an officer or employee of any Chapter thereof shall be considered *ipso facto* resigned from his position as of the moment he files his certificate of candidacy for any elective public office or accepts appointment to any judicial, quasi-judicial, or prosecutory office in the Government or any political subdivision or instrumentality thereof (*see Sec. 13, Rule 139-A*).

3. Other Prohibited Acts and Practices

The following acts and practices relative to elections are prohibited, whether committed by a candidate for any elective office in the Integrated Bar or by any other member, directly or indirectly, in any form or manner, by himself or through another person.

(a) Distribution, except on election day, of election campaign materials;

(b) Distribution, on election day, of election campaign materials other than a statement of the biodata of the candidate on not more than one page of a legal size sheet of paper; or causing the distribution of such statement to be done by persons other than those authorized by the officer presiding at the elections;

(c) Campaigning for or against any candidate, while holding an elective, judicial, quasi-judicial or prosecutory office in the Government, or any political subdivision, agency or instrumentality thereof;

(d) Formation of tickets, single slates, or combinations of candidates as well as the advertisement thereof; and

(e) For the purpose of inducing or influencing a member to withhold his vote, or to vote for or against a candidate, - (1) payment of the dues or

other indebtedness of any member; (2) giving of food, drink, entertainment, transportation or any article of value, or any similar consideration to any person; or (3) making a promise or causing an expenditure to be made, offered or promise to any person (*see Sec. 14, Art. I*).

4. Term of Office

The term of office of all elective officers, national and local, shall be two (2) years beginning 01 April 2021 and ending on 31 March 2023. In no case may any member be elected to the same office or position for two (2) consecutive terms (*see Sec. 10, Art. I*).

5. Supreme Court-designated Observer

The Supreme Court may designate an official observer at any election of the Integrated Bar, whether national or local (*see Sec. 15., Art. I*).

III. Chapter's Voters List/Conduct of Elections

1. Chapter's Voters List/Creation of Elections Committee (ELECOM)

From 12 to 17 February 2021, the National Secretary shall transmit via email to each Chapter, the list of the names of all members of the Chapter who are up-to-date in the payment of dues, assessments and charges as per the records of IBP National as of 10 February 2021. Not later than 21 February 2021, the Chapter Board of Officers shall convene to review, correct, and approve the Chapter's Voters List taking into account the list sent by the National Secretary. No further corrections can be made thereon after such approval. Not later than 22 February 2021, the Chapter President shall send the approved Chapter's Voters List, duly certified by him, via email and in a sealed envelope through courier to the IBP National Office, attention: National Secretary. The Chapter Secretary shall cause the posting of the Chapter's Voters List - a) in a bulletin board of all the first and second level courts within the territorial jurisdiction of the Chapter, b) at the Chapter's office and c) at the venue of the elections.

The Chapter's Voters List shall be open to inspection by a member, and, upon request, copies thereof shall be furnished to any such member upon payment of actual reproduction cost thereof.

The Chapter Board of Officers shall constitute a 3-man Elections Committee ("ELECOM") to be chaired by the incumbent Chapter President, that shall oversee the conduct of the elections. If a member of the ELECOM is nominated as a candidate and accepts the nomination, he/she shall be deemed *ipso facto* resigned from the ELECOM, in which case, the Chapter Board of Officers shall designate his/her replacement.

During the conduct of the elections, the ELECOM shall have continuing authority to adopt measures to ensure the sanctity and secrecy of a ballot, provided these are not contrary to or inconsistent with these Guidelines. The Chapter's Legal Aid Clerk/s shall serve as the secretariat of the ELECOM.

2. Transfer of Membership

Transfer of membership to and from one Chapter to another is prohibited during the three-month period immediately preceding any election. No transfer done during this period shall be valid for purposes of the 2021 Chapter elections, but

the transfer shall be effective only on the date immediately after the conduct of elections for Regional Governors of the Integrated Bar (to be held in 2021). Accordingly, the individual, whose transfer was effected during the said period, is ineligible to vote, nor be nominated or elected as an officer of his new Chapter, during the said election.

3. Presiding Officer During the Elections for Chapter Officers

The ELECOM Chairperson shall act as presiding officer during the conduct of the elections.

4. Nominations

No member may be nominated for election, nor be elected, to any office, if such member is not duly included in the Chapter's Voters List as adverted to in par. 1 above.

Only members physically present at the venue may be nominated for election. After a nomination is made, the Presiding Officer shall immediately require the nominee to manifest publicly and in writing, whether he is amenable to, or accepts, the nomination.

The ELECOM Chairperson shall open the table for nomination for each Chapter officer position, in the following order:

- i. President
- ii. Vice-President
- iii. Secretary
- iv. Treasurer
- v. Auditor
- vi. Public Relations Officer
- vii. Directors (not more than 5 positions)

5. Voting

a. General

Voting for Chapter Officers shall be done by secret ballot. The Chapter shall provide official ballots for the purpose. Voting by proxy shall not be allowed.

b. Voting

i. By a Member who is Physically Present at the Venue

A member who is physically present at the venue and is included in the Chapter's Voters List shall be given a ballot, which he shall fill-up, and after which, such ballot shall be dropped by the member in the designated ballot box.

ii. Online Voting

Given the risks of contracting the COVID-19 virus at the venue of the elections and the need to provide members an alternative means by which they may cast their votes without being physically present at said venue, the following guidelines for the casting of vote through remote communication shall be observed:

- (1) Not later than 22 February 2021, a Chapter member opting to vote online must submit via email or in person, a written notice to the Chapter Secretary informing the Chapter of his intent to cast his vote through e-mail. Only members included in the Chapter's Voters List as adverted to in item III (1) above may exercise said option. This written notice shall be signed by the said member and shall state – a) member's present home address, personal e-mail address and mobile number where the said member can be contacted/called for the purpose of verifying and confirming his identity and other details, and b) the member is allowing the data provided to be recorded and utilized by the Chapter to prepare a list of members of have opted to vote online. Also, a photocopy of the government-issued ID card (with photo and signature) of such member shall be attached to said notice. The Chapter Secretary shall immediately acknowledge receipt of such notice.
- (2) Prior to the finalization of the list of on-line voters as adverted to in sub-paragraph (3) below, the ELECOM, shall verify the authenticity of the said notice by calling the concerned member to ascertain his identity, signature and personal email address as indicated in the member's written notice and his intention to cast his vote through email.
- (3) Not later than 23 February 2021, the ELECOM shall prepare an official list of members who have opted to cast their votes through e-mail together with their personal email addresses. This list shall be attested to by the chairperson and the members of the ELECOM.
- (4) The Chapter shall create and provide an official email address to which - (i) the notice adverted to in subparagraph (1) above and; (ii) online votes can be sent via email. The Chapter Secretary shall announce, at least ten (10) days prior to the date of the election, such Chapter official email address. Not later than 25 February 2021, the ELECOM using the Chapter's official email address shall send via email to all members who have opted to vote online, the e-ballot to be filled up and sent by such member to the Chapter during the conduct of the elections. For uniformity, IBP National shall send to all Chapters the format of this e-ballot.
- (5) Likewise, the ELECOM shall cause the establishment, activation and operation of a social media platform for video conferencing (e.g., Zoom, MS Teams, etc.) during the elections, to enable members to know the individuals who have been nominated and the positions to which they are specifically nominated. Prior to the date of the elections, the ELECOM shall announce and send instructions on how Chapter members who opted to vote online, may join the video conference (e.g. sending the meeting number/details and passcode to join the meeting). During the voting period, the Presiding Officer shall cause and direct the list of nominees and the actual positions they were nominated to, to be "shared" online for viewing by

members who have opted to vote online. The members shall send their respective e-ballots online within the voting period. Any e-mail with e-ballot sent by a member before or after the said period shall be disregarded and not be counted by the ELECOM. The video conferencing shall be activated at the start, and shall not be terminated until after the adjournment of the conduct of the elections.

- (6) The e-ballot of the member casting his vote online shall be in *PDF* file and attached to the email sent by the member to the Chapter. Should the member send more than one (1) email, only the first and earliest email sent containing the e-ballot shall be considered by the ELECOM.

In the event the member who had originally opted to vote online was not able to send his e-ballot via email, and this is confirmed by the ELECOM, such member shall be allowed to cast his vote physically provided such member is at the venue before the close of the voting period.

- (7) The ELECOM shall, in the presence of the Supreme Court-designated Observer, open the email of the member voting online, and download and print the e-ballot sent. The e-ballot as printed shall be counter-signed by the ELECOM chairperson and the same shall, in the presence of the Supreme Court-designated Observer, be dropped by the ELECOM chairperson in the designated ballot box..
- (8) To address any exigency or for justifiable reasons, the ELECOM may adjust the voting period that was previously approved by the Chapter's Board of Officers in accordance with Item I above, provided that this change is publicly announced prior to actual voting/casting of votes, or adopt further steps or measures to ensure the secrecy and sanctity of ballots, provided such steps or measures are not inconsistent with these Guidelines.

7. Canvassing of Ballots & Election Results

- a. The ELECOM shall be responsible in the canvassing of ballots (regular and e-ballots) and in determining the results of the elections.
- b. Before the canvass, the ELECOM shall count the number of ballots found in the ballot box.
- c. After the canvass of votes (including those cast online), the ELECOM shall announce publicly, and in the venue, the results of the elections (the "Chapter Elections Results"). The actual time the results were announced shall be indicated in the Chapter Elections Results to be prepared in accordance with the succeeding paragraph. The ELECOM shall be responsible in safekeeping the ballots and other election paraphernalia.
- d. Not later than 01 March 2021, the Chapter Elections Results shall be prepared (bearing the names of all candidates and votes each has garnered, as well as those members that were duly elected as Chapter officers, their respective addresses, and positions to which they were elected), duly signed by the ELECOM chairperson and members, and sent by courier to the IBP

National Office, attention: National Secretary, together with tally sheet/s, to be followed by a Confirmatory Certificate on the results of the elections sent via email.

8. Protests

- a. Any protest relative to the results of the elections must be verbally manifested out by a candidate before the adjournment of the conduct of the elections. Any candidate to which the protest is directed to shall reply to such protest also verbally.
- b. The ELECOM must resolve then and there any protest lodged, before adjournment of the conduct of elections.

IV. Supreme Court-Designated Observer

- 1. The Chapter President shall timely communicate, coordinate with and remind the Supreme Court-designated Observer, of the date, time and venue, of the elections so that the latter may adequately prepare and attend said election for Chapter Officers.
- 2. The Chapter shall provide all necessary courtesies to the Supreme Court-designated Observer during the conduct of the elections.

V. Costs and Expenses

Any and all reasonable expenses and costs (capex or opex) incurred including those pertaining to the temporary engagement of personnel, in order to implement these Guidelines, shall be chargeable against the funds of the Chapter concerned. If the Chapter has no sufficient funds, the National President upon request of a Chapter, is authorized to approve the disbursement of funds that shall represent IBP National’s financial assistance to such Chapter.

VI. Technical Assistance

From time to time and even during the conduct of the elections, the ELECOM may seek the assistance and guidance of all IBP Project Officers relative to the implementation of online voting and the establishment of a social media platform for purposes of allowing members opting to vote online to determine all the candidates running during the elections and the specific positions that they seek to be elected to, and other related technical matters.

The IBP Project Officers are:

Name	Mobile No.	E-mail Address
Jeanne Marl Dominisac	0915-984-2815	ibp.jbdominisac@gmail.com
Jasmin Raceli Rodriguez	0956-120-9240	ibp.jmrodriguez@gmail.com
Jan Dominique Rosit	0915-700-1593	ibp.jnrosit@gmail.com
Adrienne Sy	0947-77009976	ibp.adsy@gmail.com

VIII. Summary of Timelines

From the foregoing, below is the summary of timelines relative to the conduct of elections of Chapter officers:

- 1. Deadline for the Chapter to Announce the Holding of Elections - 20 November 2020

2. Deadline for Transfer of Membership to another Chapter - 29 November 2020
3. Deadline to Pay/Update Member's dues, assessments and charges - 10 February 2021
4. Deadline for National Secretary to transmit to the Chapter the list of members who are updated in the payment of dues, assessments and charges - 17 February 2021
5. Deadline for the Chapter to Correct and Approve Chapter's Voters List - 21 February 2021
6. Chapter's Voters List - 21 February 2021
7. Deadline for the Chapter to send Chapter's Voters List, as corrected and approved, to the National Secretary - 22 February 2021
8. Deadline for a Member to file Notice of Option to Vote Online - 22 February 2021
9. Deadline for ELECOM to Finalize List of Members who are Voting Online - 23 February 2021
10. Deadline for ELECOM to send via email e-Ballots to Members Voting Online - 25 February 2021
11. Holding of Elections for Chapter Officers/Canvass of Votes - 27 February 2021
12. Deadline for ELECOM to Submit Chapter Elections Results to National Secretary - 01 March 2021

**APPROVED BY RESOLUTION OF THE 24th BOARD OF GOVERNORS
ON 10 NOVEMBER 2020**


DOMINGO EGON Q. CAYOSA
 National President &
 Chairman, 24th Board of Governors