

file:a45475a11ec72b843d74959b60fd7bd645b7d71709b40.html

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/398f9d15db2f/>

B. JURISDICTION

1. Exclusive Original Jurisdiction[1]

The Sandiganbayan exercises exclusive original jurisdiction in all cases involving:

1.1. Violations of Rep. Act No. 3019, as amended, otherwise known as the Anti-Graft and Corrupt Practices Act, Rep. Act No. 1379 and Chapter II, Sec. 2, Title VII, Book II of the Revised Penal Code, where one or more of the accused are officials occupying the following positions in the government, whether in a permanent, acting or interim capacity, at the time of the commission of the offense:

1.1.1. Officials of the executive branch occupying the positions of regional director and higher, otherwise classified as grade “27” and higher, of the Compensation and Position Classification Act of 1989 (Rep. Act No. 6758), specifically including:

1.1.1.1. Provincial governors, vice-governors, members of the sangguniang panlalawigan and provincial treasurers, assessors, engineers and other provincial department heads;

1.1.1.2. City mayors, vice mayors, members of the sangguniang panlungsod, city treasurers, assessors, engineers and other city department heads;

1.1.1.3. Officials of the diplomatic service occupying the position of consul and higher;

1.1.1.4. Philippine army and air force colonels, naval captains and all other officers of higher rank;

1.1.1.5. Officers of the Philippine National Police while occupying the position of provincial director and those holding the rank of senior superintendent or higher;

1.1.1.6. City and provincial prosecutors and their assistants, and officials and prosecutors in the Office of the Ombudsman and Special Prosecutor; and

1.1.1.7. Presidents, directors or trustees, or managers of government-owned or controlled corporations, state universities or educational institutions or foundations.

1.1.2. Members of Congress and officials thereof classified as grade “27” and up under the Compensation and Position Classification Act of 1989 (Rep. Act No. 6758);

1.1.3. Members of the Judiciary without prejudice to the provisions of the Constitution;

1.1.4. Chairmen and members of the Constitutional Commissions, without prejudice to the provisions of the Constitution; and

1.1.5. All other national and local officials classified as grade “27” and higher under the Compensation and Position Classification Act of 1989 (Rep. Act No. 6758).

1.2. Violations of the Law on Plunder (Rep. Act 7080) and the Anti-Money Laundering Act of 2001 (Rep. Act 9160) committed by public officers and private persons who are in conspiracy with such public officers;

1.3. Other offenses or felonies whether simple or complexed with other crimes committed by the aforementioned public officials and employees in relation to their office;

1.4. Civil and Criminal cases filed pursuant to and in connection with Executive Orders Nos. 1, 2, 14 and 14-A issued in 1986; and

1.5. Petitions for the issuance of writs of mandamus, prohibition, certiorari, habeas corpus, injunction and other ancillary writs and processes in aid of its appellate jurisdiction and over petitions of similar nature, including quo warranto, arising or that may arise in cases filed or which may be filed under Executive Order Nos. 1, 2, 14 and 14-A issued in 1986: Provided, That the jurisdiction over these petitions shall not be exclusive of the Supreme Court.

In case private individuals are charged as co-principals, accomplices or accessories with the public officers or employees, including those employed in government-owned or controlled corporations, they shall be tried jointly with said public officers and employees in the proper courts which shall exercise exclusive jurisdiction over them.[2]

Any provisions of the law or Rules of Court to the contrary notwithstanding, the criminal action and the corresponding civil action for the recovery of civil liability shall, at all times be simultaneously instituted with, and jointly determined in, the same proceeding by the Sandiganbayan or the appropriate courts, the filing of the criminal action being deemed to necessarily carry with it the filing of the civil action, and no right to reserve the filing of such civil action separately from the criminal action shall be recognized: Provided, however, That where the civil action had heretofore been filed separately but judgment therein has not yet been rendered, and the criminal case is hereafter filed with the Sandiganbayan or the appropriate court, said civil action shall be transferred to the Sandiganbayan or the appropriate court as the case may be, for consolidation and joint determination with the criminal action, otherwise the separate civil action shall be deemed abandoned.[3]

2. Exclusive Appellate Jurisdiction

The Sandiganbayan exercises exclusive appellate jurisdiction over appeals from final judgments, resolutions or orders of regional trial courts, whether in the exercise of their own original jurisdiction or of their appellate jurisdiction, in cases where none of the accused are occupying positions corresponding to salary grade "27" or higher, or military and Philippine National Police (PNP) officers mentioned in Sec. 4, par. (a) of Pres. Decree No. 1606, as amended.

C. QUALIFICATIONS OF OFFICERS

The Sandiganbayan has one (1) Executive Clerk of Court IV and five (5) Executive Clerks of Court III. They are appointed by the Supreme Court upon recommendation of the Court en banc of the Sandiganbayan.

1. Executive Clerk of Court IV[4]

Education - Bachelor of Laws

Experience - Ten (10) years or more in the practice of law or has been Clerk of Court or Deputy Clerk of Court of a Regional Trial Court or its equivalent for the same period of time.

Training - Thirty-two (32) hours of relevant training in management and supervision.

Eligibility - Rep. Act No. 1080 (Bar)

2. Executive Clerk of Court III [5]

Education - Bachelor of Laws

Experience - Five (5) years or more in the practice of law or has been Clerk of Court or Deputy Clerk of Court of a Regional Trial Court or its equivalent for the same period of time.

Training - Thirty-two (32) hours of relevant training in management and supervision.

Eligibility - Rep. Act No. 1080 (Bar)

3. Director III formerly Legal Officer pursuant to National Compensation Circular No. 56[6]

Education - Bachelor of Laws

Experience - Three (3) years of supervisory experience

Eligibility - Rep. Act No. 1080 (Bar)

4. Division Chiefs

4.1. Sandiganbayan Chief Judicial Staff Officer,[7]

Judicial Records Division

Education - Bachelor's Degree

Experience - Five (5) years of relevant experience

Training - Thirty-two (32) hours of relevant training

Eligibility - Career Service (Professional) and Second Level Eligibility

4.2. Sandiganbayan Chief Judicial Staff Officer, [8]

Administrative Division

Education - Bachelor's Degree

Experience - Five (5) years of relevant experience

Training - Thirty-two (32) hours of relevant training

Eligibility - Career Service (Professional) and Second Level Eligibility

4.3. Sandiganbayan Chief Judicial Staff Officer,[9]

Budget and Finance Division

Education - Bachelor's Degree

Experience - Five (5) years of relevant experience

Training - Thirty-two (32) hours of relevant training

Eligibility - Career Service (Professional) and Second Level Eligibility

4.4. Security Officer III (Chief, Security and Sheriff Services)

Education - Bachelor's Degree

Experience - Two (2) years of relevant experience

Training - Eight (8) hours of relevant training

Eligibility - Career Service (Professional) and Second Level Eligibility

D. FUNCTIONS AND DUTIES OF OFFICERS

1. Executive Clerk of Court IV

1.1. Adjudicative Support Functions

1.1.1. Issues certified true machine copies of decisions, resolutions and orders of the court including warrants of arrest; and

1.1.2. In the absence of one of the Executive Clerks of Court III, attends court hearing, prepares minutes of the proceedings, signs certificates of appearance to witnesses, signs subpoenas, notices of hearing and other Court processes.

1.2. Non-Adjudicative Functions

1.2.1. Exercises general or administrative supervision over subordinate officials and employees of the Court, except those belonging to the staff of the individual Justices;

1.2.2. Takes charge of the administrative operations of the Court;

- 1.2.3. Issues and signs certificates of clearances to all requesting parties;
- 1.2.4. Signs payrolls, checks and requisition and issue vouchers;
- 1.2.5. Signs contracts involving the Sandiganbayan Court as authorized by the Presiding Justice;
- 1.2.6. Issues and signs office memoranda and office orders pertaining to Court officials and employees;
- 1.2.7. Provides information to the public and other government agencies;
- 1.2.8. Assists the Court in the latter's relationship with the public and private agencies including bar associations and appellate judicial administrative agencies;
- 1.2.9. Signs all requests for photocopying and prepares orders of payments;
- 1.2.10. Coordinates with the Budget and Finance Divisions in the preparation of the Sandiganbayan budget;
- 1.2.11. Prepares reports as may be required by the Presiding Justice;
- 1.2.12. Signs applications for salary, policy and Pag-IBIG loans;
- 1.2.13. Signs clearances of employees for retirement purposes;
- 1.2.14. Sits as member of the Committee on Selection and Promotion Board; and
- 1.2.15. Performs related work assigned by the Court through the Presiding Justice from time to time.

2. Executive Clerk of Court III

2.1. Adjudicative Support Functions

- 2.1.1. Attends Court hearings daily and prepares minutes of the proceedings;
- 2.1.2. Issues Certificates of Appearance to witnesses who testified in the court hearings;
- 2.1.3. Prepares daily court calendar;
- 2.1.4. Prepares and signs notices to the parties in all cases pending before the Division;
- 2.1.5. Prepares and signs writs of execution;
- 2.1.6. Takes charge of out-of-town hearings; and
- 2.1.7. Issues certified true machine copies of Court decisions, resolutions and orders, as well as warrants of arrest and other Court processes.

2.2. Non-Adjudicative Functions

- 2.2.1. Acts as custodian of all exhibits offered by the party litigants;
- 2.2.2. Takes charge of all court records pending before his division;
- 2.2.3. Signs letters requiring bondsmen to confirm surety bonds issued;
- 2.2.4. Signs letters to the Bureau of Immigration and Deportation (BID) giving particulars of the accused relative to the Hold-Departure Orders issued;
- 2.2.5. Prepares monthly and annual reports on the status of cases pending before it for submission to the Supreme Court and the Sandiganbayan Statistics Section;
- 2.2.6. Prepares monthly calendars for the Justices, Prosecutors and stenographers;
- 2.2.7. Keeps custody of records and conducts regular physical inventories of the records;
- 2.2.8. Checks insufficiencies/compliance with the rules and requirements laid down by the Supreme Court with respect to surety bonds;
- 2.2.9. Communicates with the different Clerks of Court of the Regional Trial Courts in the provinces regarding deficiencies /defects of property bonds approved by the Judges;
- 2.2.10. Under general supervision, assists the Executive Clerk of Court IV in the performance of his/her duties and responsibilities; and
- 2.2.11. Does related tasks as may from time to time be assigned by the Justice of his division.

3. Director III (Legal Officer)

3.1. Adjudicative Support Functions

3.1.1. Provides the Court with a retrieval system of jurisprudential information, statute data, extra-legal research materials and case notes; and

3.1.2. Plans, coordinates and reviews research studies.

3.2. Non-Adjudicative Functions

3.2.1. Exercises supervision and control over all Attorneys and Researchers;

3.2.2. Receives and compiles the original copies of all decisions and reasoned resolutions handed down by the Court in book-bound form patterned after the Philippine Reports of the Supreme Court and the Court of Appeals Reports;

3.2.3. Conducts formal investigations of administrative charges against Court employees when so directed;

3.2.4. Undertakes continuing studies on various legal matters;

3.2.5. Represents the Court in any litigation before any judicial, quasi-judicial or administrative body or tribunal;

3.2.6. Prepares and reviews contracts, deeds and other instruments where the interest of the Court is involved;

3.2.7. Prepares, in consultation with the writer of the decision, a syllabus of the ruling of the Court and prefixes the same to each case;

3.2.8. Proofreads and certifies copies of decisions and resolutions of the Court; and

3.2.9. Performs other related tasks.

4. Division Chiefs

4.1. Sandiganbayan Chief Judicial Staff Officer, Judicial Records Division

4.1.1. Adjudicative Support Functions

4.1.1.1. Receives and docket all cases filed with the Court;

4.1.1.2. Receives and forwards to the Divisions concerned all pleadings and communications relative to cases raffled to each;

4.1.1.3. Supervises the raffle of the cases every week in the presence of the Justices and Executive Clerks of Court III or their representatives;

4.1.1.4. Transmits the records of the cases to the Divisions; and

4.1.1.5. Checks bail bonds.

4.1.2. Non-Adjudicative Functions

4.1.2.1. Exercises general supervision and control over all units in the Judicial Records Division;

4.1.2.2. Manages and superintends activities in connection with the filing of the cases;

4.1.2.3. Plans and evaluates work programs for a systematic management of judicial records;

4.1.2.4. Monitors conditions and status of the cases for the submission to the Court;

4.1.2.5. Coordinates with the Section Chiefs in setting up, maintaining, updating and improving the information system on all cases filed, tried and decided by the Court;

4.1.2.6. Causes the preparation of communications and reports; and

4.1.2.7. Performs such other related functions as may be assigned by the Court.

4.2. Sandiganbayan Chief Judicial Staff Officer, Administrative Division

4.2.1. Non-Adjudicative Functions

4.2.1.1. Directs and supervises the administrative services and functions in the agency;

4.2.1.2. Supervises and coordinates budget preparation, personnel administration, general services and central functions;

- 4.2.1.3. Implements administrative policies and decides on routine employee relations, problems and conflicts;
- 4.2.1.4. Prepares office orders, circulars, memoranda for the proper guidance of employees in the office as directed by the Office Head;
- 4.2.1.5. Conducts administrative investigations and recommends appropriate disciplinary action for erring employees whenever assigned by the Executive Clerk of Court IV and/or Director III;
- 4.2.1.6. Supervises the preparation of communications and reports as well as the procurement and distribution of supplies and equipment;
- 4.2.1.7. Checks requisitions for supplies, materials and equipment to ensure conformity with approved program of expenditures after consultation with other officials concerned; and
- 4.2.1.8. Does related work.

4.3 Sandiganbayan Chief Judicial Staff Officer, Budget & Finance Division

4.3.1. Non-Adjudicative Functions

- 4.3.1.1. Under the direction of the Court, supervises the fiscal affairs of the Court including planning, directing and supervising systematic accounting procedures for all financial transactions of the Court;
- 4.3.1.2. Coordinates the preparation of budget estimates and financial reports and the related statistical data thereof of the Court;
- 4.3.1.3. Initiates and recommends plans and formulas for the effective utilization of funds allotted to the Court;
- 4.3.1.3. Represents the Office in all conferences and conventions on fiscal management when authorized;
- 4.3.1.4. Acts as the Court's financial adviser; and
- 4.3.1.5. Performs such other related functions as may be assigned by the Court.

4.4. Security Officer III (Chief, Security and Sheriff Services)

4.4.1. Adjudicative Support Functions

- 4.4.1.1. Implements the enforcement and execution of Orders and warrants of arrest issued by the Divisions of the Court;
- 4.4.1.2. Supervises the service and execution of writs of execution, attachments and injunctions and all other court processes;
- 4.4.1.3. Implements the service of subpoena duces tecum and/or ad testificandum, orders and resolutions issued by the Divisions;
- 4.4.1.4. Implements all other writs issued by the Court through the Divisions;
- 4.4.1.5. Maintains records of writs of execution, attachment and injunction;
- 4.4.1.6. Takes custody of the accused who voluntarily surrendered and/or arrested by other law enforcement agencies;
- 4.4.1.7. Takes custody of the accused while their bailbonds are being processed;
- 4.4.1.8. Turns over accused who voluntarily surrender to the authorized detention centers;
- 4.4.1.9. Takes official custody of all properties ordered for attachment; and
- 4.4.1.10. Causes the collection of all monies forfeited in favor of the government including those of private parties who have pending cases before the Court including those of the insurance companies which have failed to account for their liabilities under the bonds posted before the Court.

4.4.2. Non-Adjudicative Functions

- 4.4.2.1. Supervises the Court's security operations;
- 4.4.2.2. Coordinates with all other law enforcement agencies in securing the Court's premises as well as those of

its personnel whenever required; and

4.4.2.3. Deals with the media and their requests for copies of resolutions and decisions.

G. FEES

General

Fund JDF Total

1. Executive Clerk of Court

Xerox (Personal) 0.00 1.00 1.00

Xerox (Court Record) 0.20 3.80 4.00

Certification Fee 1.00 29.00 30.00

Certified True/Xerox Copy 1.00 29.00 30.00

Research Fee 1.00 14.00 15.00

Marriage Solem. Fee 0.00 300.00 300.00

Docket Fee (Rule 45) 48.00 452.00 500.00

Docket Fee (Rule 65) 48.00 452.00 500.00

2nd and Succeeding Motion for
Reconsideration 48.00 0.00 48.00

2. Sheriff's Fees

Summons 4.00 56.00 60.00

Subpoenas 0.40 23.60 24.00

TRO/Injunction 0.00 60.00 60.00

Replevin 0.00 60.00 60.00

Indemnity Bond-Provisional Remedy 1.00 49.00 50.00

Writ of Possession-Real Estate 4.00 146.00 150.00

Notice of Sale/Publication 2.00 73.00 75.00

Inventory of Goods 0.00 150.00 150.00

Levy on execution on Personal
or Real Property 4.00 71.00 75.00

Notice of Garnishment 0.00 40.00 40.00

Sheriff's Percentage of Collection;

a) for the 1st P4,000.00 40.00 160.00 200.00

b) excess of P4,000.00 compute 1/2% 2.5%

*** General Fund Only

- Court Fines/Lost ID/Content

*** JDF only

- Confiscated Cash bonds and Proceeds from Public Sale of Confiscated Property Bonds.

- Sales of Unserviceable Equipment, Furnitures, Vehicles, Disposable Records or Papers.

- Operation of Transportation Facilities for Judiciary Personnel.

- Concessions to operate canteens or provide other services.

- Rentals of facilities.'

- Interests on Deposits on Income and Deposits of Money Paid or Deposited with Clerks of Court.

3. Stenographer's Fees (TSN)

Stenographers shall give certified transcript of notes taken by them to every person requesting the same upon payment of (a) six (P6.00) pesos for each page of not less than two hundred and fifty words before the appeal is taken and (b) three pesos and sixty centavos (P3.60) for the same page, after the filing of the appeal, provided, however, that one third of the total charges shall be paid to the court and the remaining two-thirds to the stenographer concerned.[10]

[1] Pres. Decree No. 1606 as amended by Rep. Act. No. 7975 and Rep. Act No. 8249

[2] Rep. Act No. 8249, sec. 4 (c), par. 6

[3]Ibid, par.7

[4] Per Position Allocation List (PAL)

[5] Per Position Allocation List (PAL)

[6] Per Qualification Standards of the Civil Service Commission

[7] Per Supreme Court en banc resolution, November 21, 2000

[8] Id.

[9] Id.

[10] Revised Rules of Court, Section 10, Rule 141.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.