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B. JURISDICTION

The Court of Appeals shall exercise its adjudicatory powers, functions and duties through its seventeen (17) divisions. It sits en banc for the exercise of administrative, ceremonial and non-adjudicatory functions.[1] Upon implementation of Rep. Act No. 8246, there shall be twenty-three (23) Divisions in the Court of Appeals. [2]

1. MATTERS COGNIZABLE BY THE COURT EN BANC

The Court shall sit en banc to:

- 1.1. Promulgate rules or orders relative to the organization or reorganization of the Divisions of the Court and assignment of the Justices, distribution of cases, and other matters concerning the operation and management of the Court and/or its Divisions;
- 1.2. Recommend to the Supreme Court the appointment of the Clerk of Court, Assistant Clerk of Court, Division Clerks of Court and Court Reporter;
- 1.3. Act on administrative matters, such as the regrouping, merger, or abolition of existing offices, units or services; create new ones, or transfer the functions of one office, unit or service, to another as the exigencies of the service may require, subject to the approval of the Supreme Court;
- 1.4. Receive foreign and local dignitaries, important guests and visitors, honor a colleague or retiring member of the Court, hold necrological services for its members who died in office, and honor a retired member who died after retirement;
- 1.5. Adopt uniform administrative measures, procedures, and policies for the protection and preservation of the integrity of the judicial processes, the speedy disposition of cases, and the promotion of efficiency of the personnel;
- 1.6. Discuss and thresh out divergent views on any particular question of law so as to reach a consensus thereon or to minimize if not completely avoid conflict of decisions of the different Divisions of the Court on the interpretation and application of any question or provision of law; and
- 1.7. Take up other administrative matters which the Presiding Justice or any member may suggest for consideration and inclusion in its agenda.[3]

2. MATTERS COGNIZABLE BY THE DIVISIONS[4]

2.1. Original

2.1.1. Exclusive

Actions for annulment of judgments of Regional Trial Courts (Batas Blg. 29, sec. 9 [2])

2.1.2. Concurrent

2.1.2.1. With Supreme Court

Petitions for issuance of writs of certiorari, prohibition and mandamus against the following:

- National Labor Relations Commission under Labor Code. (Batas Blg. 129, Sec. 9 as amended by Rep. Act No. 7902; *St. Martin Funeral Home v. NLRC*, G.R. No. 130866, September 16, 1998). Under the principle of

hierarchy of courts, the petition should first be filed with the Court of Appeals.

- Civil Service Commission (Rep. Act No. 7902)
- Central Board of Assessment Appeals. (Pres. Decree No. 464; Batas Blg. 129, sec. 9 as amended by Rep. Act No. 7902)
- Court of Tax Appeals and Quasi-Judicial Agencies (Rules of Civil Procedure [1997], Rule 143)
- Regional Trial Courts and lower courts

2.1.2.2. With Supreme Court and Regional Trial Courts

- Petitions for habeas corpus and quo warranto
- Petitions for issuance of writs of certiorari, prohibition and mandamus against the lower courts or bodies. (Batas Blg. 129, Sec. 9 [1] and Sec. 21 [1]; Vergara v. Suelto, 156 SCRA 763)

2.2. Appellate

2.2.1. Writ of Error

2.2.1.1. Appeals from Regional Trial Courts, except those appealable to the Supreme Court

2.2.1.2. Appeals from Regional Trial Courts on constitutional, tax, jurisdictional questions involving questions of fact which should be appealed first to the Court of Appeals (Judiciary Act (1948) sec. 17 subparagraph 4 of the 4th paragraph as amended, which was not intended to be excluded by Batas Blg. 129, Sec. 9 [3])

2.2.1.3. Appeals from decisions and orders of the Family Courts (Rep. Act No. 8369, Sec. 14)

2.2.2. Petition for Review

2.2.2.1. Appeals from the Civil Service Commission (Rep. Act No. 7901; Rules of Civil Procedure [1997], Rule 43)

2.2.2.2. Appeals from Regional Trial Courts in cases appealed from Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts, which are not a matter of right. (Batas Blg. 129, Sec. 22; Rules of Civil Procedure [1997], Rule 42; Rule 122, Sec. 3 [b] of the Rev. Rules of Criminal Procedure [2000])

2.2.2.3. Appeals from Court of Tax Appeals and other quasi-judicial agencies, such as

- Central Board of Assessment Appeals
- Securities and Exchange Commission
- Office of the President
- Land Registration Authority
- Social Security System
- Civil Aeronautics Board
- Intellectual Property Office (formerly Bureau of Patents, Trademarks and Technology Transfer)
- National Electrification Administration
- Energy Regulatory Board

- National Telecommunications Commission
- Department of Agrarian Reform under Rep. Act No. 6657
- Government Service Insurance System
- Employees Compensation Commission
- Agricultural Inventions Board
- Insurance Commission
- Philippine Atomic Energy Commission
- Board of Investments
- Construction Industry Arbitration Commission
- Voluntary arbitrators authorized by law (Rules of Civil Procedure [1997], Rule 43)

2.2.2.4. Appeals from the National Commission on Indigenous Peoples (NCIP) (Rep. Act No. 8371, Sec. 67)

2.2.2.5. Appeals from the Office of the Ombudsman in administrative disciplinary cases. (Teresita G. Fabian v. Desierto, et al., 295 SCRA 470 (1998))

C. QUALIFICATIONS OF OFFICERS

The Court of Appeals has a Clerk of Court, an Assistant Clerk of Court, seventeen (17) Division Clerks of Court and a Court Reporter. These officials are recommended by the Court en banc to the Supreme Court for appointment.

- Executive Clerk of Court IV (Clerk of Court)
- Executive Clerk of Court III (Assistant Clerk of Court)

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)

- Executive Clerk of Court III (Division Clerk of Court)

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 the 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)

- Court Reporter

Education - Bachelor of Laws

Experience - Five (5) years of relevant experience

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

Eligibility - Rep. Act No. 1080 (Bar)

- Chief Judicial Staff Officer, Judicial Records Division
- Chief Judicial Staff Officer, Information AND Statistical Data Division
- Chief Judicial Staff Officer, Library Services Division
- Chief Judicial Staff Officer, Cash Division
- Chief Judicial Staff Officer, Fiscal Management AND Budget Division
- Chief Judicial Staff Officer, General Services Division
- Chief Judicial Staff Officer, Human Resource AND Management Division
- Chief Judicial Staff Officer, Management AND Audit Division
- Chief Judicial Staff Officer, Property AND Supply Management Division

Education - Masteral degree

Experience - Five (5) years of relevant experience

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

Eligibility - Career Service (Professional) and Second Level Eligibility

- Chief Judicial Staff Officer, Medical AND Dental Clinic Division

Education - Doctor of Medicine

Experience - Five (5) years of relevant experience

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

Eligibility - Rep. Act No. 1080

- Chief Judicial Staff Officer, Accounting Division

Education - Masteral degree

Experience - Five (5) years of relevant experience

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

Eligibility - Rep. Act No. 1080 (CPA)

D. FUNCTIONS AND DUTIES OF OFFICERS

1. Executive Clerk of Court IV (Clerk of Court)

1.1. Adjudicative Support Functions

1.1.1. Issues notices to file briefs, submit proof of service of briefs and submit lacking transcripts of stenographic notes through the Chief, Judicial Records Division;

1.1.2. Issues letters of transmittal of remand of original records through the Chief, Archives Section;

1.1.3. Issues tracers to postmasters and entries of judgment through the Division Clerks of Court;

1.1.4. Issues or drafts office orders, memoranda and circulars regarding assignments of Justices or compositions of Divisions regarding internal procedure in the flow and distribution of cases; and

1.1.5. Conducts investigation of court personnel involved in the loss of records/pleadings or in the undue delay in the reporting of pleadings.

1.2. Non-adjudicative Functions:

- 1.2.1. Takes charge of the administrative operations of the Court;
- 1.2.2. Exercises general or administrative supervision over subordinate officials and employees of the Court, except the coterminous staff;
- 1.2.3. Assists the Presiding Justice in the formulation of programs and policies for the consideration of the Court en banc;
- 1.2.4. Signs contracts involving the Court of Appeals as authorized by the Presiding Justice;
- 1.2.5. Prepares office circulars, memoranda and office orders for the signature of the Presiding Justice;
- 1.2.6. Coordinates with the Budget Division in the preparation of the Court of Appeals budget;
- 1.2.7. Prepares reports as may be required by the Presiding Justice;
- 1.2.8. Acts as Chairman of the Selection and Merit Promotions Board, Prequalification, Bidding and Awards Committee, Court of Appeals Health and Welfare Plan, Uniform Committee, Scholarship Committee, and of such other committees as may be constituted by the Presiding Justice;
- 1.2.9. Approves requisitions of office equipment and supplies of less than P10,000.00, or in excess thereof, makes the proper recommendation to the Presiding Justice;
- 1.2.10. Coordinates with other government agencies and officials on matters affecting the Court of Appeals;
- 1.2.11. Reviews and initials official documents for the signature of the Presiding Justice on administrative matters;
- 1.2.12. Attends sessions en banc and prepares minutes of the proceedings;
- 1.2.13. Prepares annual report for submission to the Supreme Court;
- 1.2.14. Issues certified true copies of decisions, resolutions and orders of the Court through the Chief, Reporter's Division;
- 1.2.15. Provides information upon request to the public and other government agencies regarding court cases and procedures;
- 1.2.16. Replies to letters of inquiries on status of cases or indorses them to proper Divisions;
- 1.2.17. Assists the Presiding Justice in hosting and entertaining foreign jurists and other foreign guests; and
- 1.2.18. Performs related work that may be assigned by the Court through the Presiding Justice.

2. Executive Clerk of Court III (Assistant Clerk of Court)

2.1. Adjudicative Support Functions:

- 2.1.1. Performs all adjudicative support functions of the Executive Clerk of Court IV (Clerk of Court) in his absence;

2.2. Non-adjudicative Functions:

- 2.2.1. Performs all non-adjudicative functions of the Executive Clerk of Court IV (Clerk of Court) in his absence;
- 2.2.2. Signs vouchers and checks;
- 2.2.3. Drafts office memoranda, circulars and orders for the signature of the Presiding Justice or Clerk of Court;
- 2.2.4. Conducts administrative investigations involving Court personnel and prepares reports and recommendations for submission to the Presiding Justice through the Clerk of Court;
- 2.2.5. Prepares replies to letters of inquiries from litigants and lawyers concerning cases filed with the Court or indorses them to the Division Clerks of Court;
- 2.2.6. Answers queries and provides information to the public and other government agencies regarding Court procedures and cases;

- 2.2.7. Signs trip tickets involving Court official vehicles;
- 2.2.8. Signs monthly and weekly requisitions of Court offices;
- 2.2.9. Acts as Chairman of the Committee on Disposal of Unserviceable Properties, Transportation Committee and the Court of Appeals Performance Evaluation Review Committee and as Co-Chairman of the Uniform Committee;
- 2.2.10. Attends sessions en banc and drafts minutes of the proceedings;
- 2.2.11. Signs clearances of court personnel going on extended leaves or retiring personnel;
- 2.2.12. Administers affidavits executed by Court personnel on official matters as ex-officio Notary Public;
- 2.2.13. Assists the Clerk of Court in the general or administrative supervision of the administrative operation of the Court and personnel; and
- 2.2.14. Performs related work that may be assigned by the Presiding Justice or the Clerk of Court.

3. Executive Clerk of Court III (Division Clerk of Court)

3.1. Adjudicative Support Functions:

- 3.1.1. Attends Court hearings and prepares minutes of the proceedings;
- 3.1.2. Issues certificates of appearance to witnesses who testified in the court hearings;
- 3.1.3. Prepares agenda of all pleadings for action by the Division;
- 3.1.4. Prepares notices to the parties in all cases pending before the Division;
- 3.1.5. Prepares and signs minute resolutions, entries of judgment, summonses, subpoenas, writs and other processes;
- 3.1.6. Takes charge of out-of-town hearings;
- 3.1.7. Issues certified true copies of Court decisions, resolutions and orders, while the original copies are with the Division, as well as warrants of arrest and other Court processes;
- 3.1.8. Acts as custodian of all exhibits offered during hearings conducted by the Division only on "Special Civil Cases"; and
- 3.1.9. Prepares annual report of disposition of cases by the Division.

3.2. Non-adjudicative Functions:

- 3.2.1. Takes charge of court records of Special Cases pending decision before his division.

4. Court Reporter

4.1. Adjudicative Support Functions:

- 4.1.1. Keeps custody of the original copies of the decisions and final resolutions of the Court;
- 4.1.2. Publishes selected decisions and final resolutions in the Official Gazette and in the Court of Appeals Reports together with their syllabi in consultation with the ponente;
- 4.1.3. Prepares syllabi of all decisions and final resolutions of the Court that have become final and executory and distributes them to all members of the Court;
- 4.1.4. Distributes to the Justices copies of decisions of first impression and apparently conflicting decisions of the Court;
- 4.1.5. Brings to the attention of the Presiding Justice conflicting decisions of the Court; and
- 4.1.6. Issues certified copies of decisions and resolutions for the Clerk of Court.

4.2. Non-adjudicative Functions:

- 4.2.1. Exercises supervision and control over his staff; and
- 4.2.2. Causes the binding of original copies of decisions and final resolutions of the Court.

5. Chief Judicial Staff Officer, Judicial Records Division

5.1. Adjudicative Support Functions:

- 5.1.1. Takes charge of docketing all cases received by the Court;
- 5.1.2. Receives and reports to the Divisions concerned all pleadings and communications relative to the cases already filed;
- 5.1.3. Administers policies and procedures pertaining to docketing activities in accordance with the Rules of Court and other pertinent laws;
- 5.1.4. Signs all forms of notices issued in relation to appealed cases for the Clerk of Court;
- 5.1.5. Acts as custodian of all court records;
- 5.1.6. Issues certified true copies of entries of judgment for the Clerk of Court; and
- 5.1.7. Issues certified true copies of documents or exhibits under the custody of his division.

5.2. Non-adjudicative Functions:

- 5.2.1. Exercises general supervision and control over all sections of the Judicial Records Division;
- 5.2.2. Coordinates the docketing records management activities of the different sections under him;
- 5.2.3. Plans and evaluates work programs for a systematic management of judicial records; and
- 5.2.4. Implements and carries out the instructions of the Presiding Justice and the Clerk of Court.

6. Chief Judicial Staff Officer, Information AND Statistical Data Division

6.1. Non-adjudicative Functions:

- 6.1.1. Attends to all inquiries personally and by telephone;
- 6.1.2. Collates from private secretaries the revised monthly accomplishment reports of Justices on cases assigned to them, both for completion and decision/resolution; and
- 6.1.3. Prepares and submits to the Office of the Court Administrator the monthly, quarterly, semi-annual and annual reports on the accomplishment of all the Justices relative to their caseload and case disposal.

7. Chief Judicial Staff Officer, Library Services Division

7.1. Non-adjudicative Functions:

- 7.1.1. Accounts for all library books, equipment and materials, and signs clearances on book accountability of Justices, officials and employees of the Court;
- 7.1.2. Selects and supervises book acquisitions through donations and purchases of law books and library materials; and
- 7.1.3. Prepares an estimated report for an annual book budget and book technical processes.

8. Chief Judicial Staff Officer, Cash Division

8.1. Non-adjudicative Functions:

- 8.1.1. Releases salaries and wages of Justices, officials, employees, including casual and contractual employees of

the Court; and

8.1.2. Supervises the preparation of reports of collections and the daily deposits with the Land Bank of the Philippines all monies, checks, money orders in the name and to the credit of the Court.

9. Chief Judicial Staff Officer, Fiscal Management AND Budget Division

9.1. Non-adjudicative Functions:

9.1.1. Assists management in the presentation of the Court's budgetary estimates before administrative and legislative bodies;

9.1.2. Provides fund estimates in support of the Court's operations, plans and programs; and

9.1.3. Directs the control of allotments released by the Department of Budget and Management.

10. Chief Judicial Staff Officer, General Services Division

10.1. Non-adjudicative Functions:

10.1.1. Checks on the progress of ongoing constructions, renovations and repair works in the Court;

10.1.2. Supervises the janitorial agency that maintains the cleanliness of the Court's public areas;

10.1.3. Prepares the hearing rooms, session hall and auditorium for official functions; and

10.1.4. Sends out, by mail or personal deliveries, court decisions, notices and processes brought to it by the Judicial Records Division, Division Clerks of Court and other offices of the Court.

11. Chief Judicial Staff Officer, Human Resource Management Division

11.1. Non-adjudicative Functions:

11.1.1. Attends to personnel actions, such as recruitment, appointment, promotion, transfer, re-employment, detail, demotion, separation and retirement of all officials and employees of the Court; and

11.1.2. Prepares the plantilla of the Court, Notice of Salary Adjustment and Step Increment.

12. Chief Judicial Staff Officer, Management Audit Division

12.1. Non-adjudicative Functions:

12.1.1. Consolidates and analyzes audit working papers;

12.1.2. Prepares audit reports to the Presiding Justice and/or Clerk of Court; and

12.1.3. Reviews and signs all audited vouchers and inspection reports.

13. Chief Judicial Staff Officer, Property AND Supply Management Division

13.1. Non-adjudicative Functions:

13.1.1 Prepares abstract of quotation, requisition and issue voucher (RIV) and purchase order if needed to be signed by the Presiding Justice or his authorized official and other signatories;

13.1.2 Accepts supplies/equipment subject for inspection by the Management and Audit Division;

13.1.3 Conducts regular and annual inventory of all supplies and property of the Court; and

13.1.4 Supervises the maintenance/repairs of the Court of Appeals' cottages in Baguio City and the administration building.

14. Chief Judicial Staff Officer, Medical AND Dental Clinic Division

14.1. Non-adjudicative Functions:

14.1.1 Conducts medical and minor surgical treatment; annual physical examination and mental examination prior to employment, including issuance of medical certificates;

14.1.2 Renders laboratory work-ups;

14.1.3 Conducts dental services to all officials and employees of the Court; and

14.1.4 Undertakes periodic laboratory blood examinations of all officials and employees of the Court.

15. Chief Judicial Staff Officer, Accounting Division

15.1. Non-adjudicative Functions:

15.1.1. Directs and supervises accounting activities;

15.1.2 Gives technical advice on financial matters; and

15.1.3 Submits financial statements and reports.

E. CASE FLOW CHARTS

[1] Revised Internal Rules of Court of Appeals, Rule 2, Sec. 1

[2] Rep. Act No. 8246, sec. 3

[3] Id., sec. 2.

[4] Revised Outline of Jurisdiction by Justice Jose Y. Feria, July-September 1999, Philja Bulletin.

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