

[THE 2002 REVISED MANUAL OF CLERKS OF COURT, March 08, 2002]

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B. JURISDICTION

1. Original Jurisdiction

1.1. Civil Cases

Sec. 33 of Batas Blg. 129, as amended by Rep. Act No. 7691, provides that Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts shall exercise exclusive original jurisdiction in the following cases:

1.1.1. Civil actions and probate proceedings, testate and intestate, including the grant of provisional remedies in proper cases, where the value of the personal property, estate or amount of the demand does not exceed One hundred thousand pesos (P100,000.00) or, in Metro Manila where personal property, estate, or amount of the demand does not exceed Two hundred thousand pesos (P200,000.00), exclusive of interest, damages of whatever kind, attorney's fees, litigation expenses, and costs, the amount of which must be specifically alleged: Provided, That interest, damages of whatever kind, attorney's fees, litigation expenses, and costs shall be included in the determination of the filing fees; Provided, further, That where there are several claims or causes of actions between the same or different parties, embodied in the same complaint, the amount of the demand shall be the totality of the claims in all the causes of action, irrespective of whether the causes or action arose out of the same or different transactions.^[1]

1.1.2. Cases of forcible entry and unlawful detainer: Provided, That when in such cases, the defendant raises the question of ownership in his pleadings and the question of possession cannot be resolved without deciding the issue of ownership, the issue of ownership shall be resolved only to determine the issue of possession; and

1.1.3. Civil actions which involve title to, or possession of, real property, or any interest therein where the assessed value of the property or interest therein does not exceed Twenty thousand pesos (P20,000.00) or, in civil actions in Metro Manila, where such assessed value does not exceed Fifty thousand pesos (P50,000.00) exclusive of interest, damages of whatever kind, attorney's fees, litigation expenses and costs; Provided, That in cases of land not

declared for taxation purposes, the value of such property shall be determined by the assessed value of the adjacent lots.

1.2. Criminal Cases

Sec. 32 of Batas Blg. 129, as amended by Rep. Act No. 7691, provides that except in cases falling within the exclusive jurisdiction of the Regional Trial Courts and of the Sandiganbayan, Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts shall exercise exclusive original jurisdiction over:

1.2.1. All violations of city or municipal ordinances committed within their respective territorial jurisdiction.

1.2.2. All offenses punishable with imprisonment not exceeding six (6) years irrespective of the amount of fine, and regardless of other impossible accessory or other penalties, including the civil liability arising from such offenses or predicated thereon, irrespective of kind, nature, value or amount thereof: Provided, however, That in offenses involving damage to property through criminal negligence, they shall have exclusive original jurisdiction thereof.

1.3. Election Cases

1.3.1. Municipal and Metropolitan Trial Courts shall have original and exclusive jurisdiction over all cases of inclusion and exclusion of voters in their respective municipalities.^[2]

1.3.2. Metropolitan or Municipal Trial Courts shall have exclusive original jurisdiction over inclusion and exclusion cases and protests with respect to *barangay* elections.^[3]

1.3.3. Metropolitan or Municipal Trial Courts shall have exclusive original jurisdiction over violations of the Omnibus Election Code relating to the offense of failure to register or failure to vote.^[4]

1.3.4. Municipal or Metropolitan Trial Courts shall have jurisdiction over election contest for *barangay* offices.^[5]

2. Delegated Jurisdiction

Sec. 34 of Batas Blg. 129 provides that Metropolitan Trial Courts, Municipal Trial Courts, and Municipal Circuit Trial Courts may be assigned by the Supreme Court to hear and determine cadastral or land registration cases covering lots (a) where there is no controversy or opposition, or (b) contested lots where the value of the land does not exceed One hundred thousand pesos (P100,000.00).

3. Preliminary Investigation

Sec. 37 of Batas Blg. 129 vests Municipal Trial Courts, and Municipal Circuit

Trial Courts with authority to conduct preliminary investigation and preliminary examination as follows:

Judges of Municipal Trial Courts, and Municipal Circuit Trial Courts shall have authority to conduct preliminary investigation of crimes alleged to have been committed within their respective territorial jurisdictions, which are cognizable by the Regional Trial Courts.^[6]

The preliminary investigation shall be conducted in accordance with Rule 112 of the Rev. Rules of Criminal Procedure (2000). The procedure in the conduct of preliminary investigation is discussed in 1.3.2. and 1.5.1. of this Chapter.

Sec. 1 of rule 112 provides that except as provided in Sec. 7 of the rule, a preliminary investigation is required to be conducted before the filing of a complaint or information for an offense where the penalty prescribed by law is at least four (4) years, two (2) months and one (1) day without regard to the fine.

4. Special Jurisdiction

Sec. 35 of Batas Blg. 129 provides that in the absence of all the Regional Trial Court Judges in a province or city, any Metropolitan Trial Judge, Municipal Trial Judge, Municipal Circuit Trial Judge may hear and decide petitions for a writ of habeas corpus or application for bail in criminal cases in the province or city where the absent Regional Trial Judge sits.

C. QUALIFICATIONS OF PERSONNEL

1. QUALIFICATION STANDARDS

1.1. Clerk of Court VI (Metropolitan Trial Courts with 13-30 salas)^[7]

Education - Bachelor of Laws graduate
Experience - Two (2) years of relevant experience
Training - Eight (8) hours of relevant training
Eligibility - Rep. Act No. 1080 (Bar)

1.2. Clerk of Court V (Metropolitan Trial Courts with 7-12 salas)^[8]

Education - Bachelor of Laws graduate
Experience - One (1) year of relevant experience
Training - Four (4) hours of relevant training
Eligibility - Rep. Act No. 1080 (Bar)

1.3. Clerk of Court IV (Metropolitan Trial Courts with 1-6 salas and Municipal Trial Courts in Cities with 1-8 salas)^[9]

Education - Bachelor of Laws graduate
Experience - Two (2) years of relevant experience
Training - Eight (8) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility.

1.4. Clerk of Court III (Metropolitan Trial Courts [Branch Clerk of Court and Assistant Clerk of Court] and Municipal Trial Courts in Cities [Branch Clerk of Court and Assistant Clerk of Court])[¹⁰]

Education - Bachelor of Laws graduate
Experience - One (1) year of relevant experience
Training - Four (4) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility

1.5. Clerk of Court II (Municipal Circuit Trial Courts [all salas], Municipal Trial Courts [1-4 salas], and Shari'a Circuit Courts [all salas])[¹¹]

Education - Bachelor's degree relevant to the job
Eligibility - Career Service (Professional) second level eligibility

1.6. Records Officer III (Metropolitan Trial Courts [22-30 salas])

Education - Bachelor's degree
Experience - Two (2) years of relevant experience
Training - Eight (8) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility.

1.7. Administrative Officer III (Metropolitan Trial Courts [22-30 salas])

Education - Bachelor's degree
Experience - Two (2) years of relevant experience
Training - Eight (8) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility

1.8. Cashier III (Metropolitan Trial Courts [22-30 salas])

Education - Bachelor's degree
Experience - Two (2) years of relevant experience
Training - Eight (8) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility.

1.9. Clerk of Court I (Municipal Trial Courts [Branch Clerk of Court])[¹²]

Education - Bachelor's degree relevant to the job
Eligibility - Career Service (Professional) second level eligibility.

1.10. Records Officer II (Metropolitan Trial Courts [16-95 salas])

Education - Bachelor's degree
Experience - One (1) year of relevant experience
Training - Four (4) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility

1.11. Records Officer I (Metropolitan Trial Courts and Municipal Trial Courts in Cities)

Education - Bachelor's degree
Eligibility - Career Service (Professional) second level eligibility

1.12. Court Legal Researcher I (Metropolitan Trial Courts, Municipal Trial Courts in Cities)

Education - Bachelor's degree relevant to the job
Eligibility - Career Service (Professional) second level eligibility

1.13. Administrative Officer II (Metropolitan Trial Courts 16-72 salas)

Education - Bachelor's degree
Experience - One (1) year of relevant experience
Training - Four (4) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility

1.14. Administrative Officer I (Metropolitan Trial Courts [22-30 salas])

Education - Bachelor's degree
Eligibility - Career Service (Professional) second level eligibility

1.15. Cashier II (Metropolitan Trial Courts [22-30 salas])

Education - Bachelor's degree
Experience - One (1) years of relevant experience
Training - Four (4) hours of relevant training
Eligibility - Career Service (Professional) second level eligibility

1.16. Cashier I (Metropolitan Trial Courts [31-95 salas])

Education - Bachelor's degree
Eligibility - Career Service (Professional) second level eligibility

1.17. Sheriff III (Metropolitan Trial Courts and Municipal Trial Courts in Cities)

Education - Completed two (2) years of college studies
Eligibility - Career Service (Sub-professional) first level eligibility

1.18. Interpreter II (Metropolitan Trial Courts and Municipal Trial Courts in Cities)

Education - Bachelor's degree
Eligibility - Career Service (Professional) second level eligibility

1.19. Interpreter I (Municipal Circuit Trial Courts, Municipal Trial Courts)

[13]

Education - Completed two (2) years of college studies
Eligibility - Career Service (Sub-professional) first level eligibility