EN BANC

[A.M. No. 2025-047-Ret., A.M. No. 2025-051-Ret., and A.M. No. 25-11-16-SC. January 14, 2026]

RE: APPLICATION FOR COMPULSORY RETIREMENT BENEFITS OF ATTY. MARIA CARINA A. MATAMMU-CUNANAN, DEPUTY CLERK OF COURT AND CHIEF ADMINISTRATIVE OFFICER, OFFICE OF ADMINISTRATIVE SERVICES, SUPREME COURT, UNDER REPUBLIC ACT NO. 910, AS AMENDED BY REPUBLIC ACT NO. 9946

[A.M. No. 2025-051-Ret.]

RE: APPLICATION FOR COMPULSORY RETIREMENT BENEFITS OF ATTY. MARIA TERESA B. SIBULO, DIVISION CLERK OF COURT, FIRST DIVISION, SUPREME COURT, UNDER REPUBLIC ACT NO. 910, AS AMENDED BY REPUBLIC ACT NO. 9946

[A.M. No. 25-11-16-SC]

RE: LEGAL BASES IN ALLOWING JUDICIARY OFFICIALS WITH JUDICIAL RANK TO RETIRE UNDER REPUBLIC ACT NO. 910, AS AMENDED BY REPUBLIC ACT NO. 9946

D E C I S I O N

VILLANUEVA, J.:

Before the Court are the consolidated[1] applications for compulsory retirement of Atty. Maria Carina A. Matammu-Cunanan[2] (Atty. Cunanan), Deputy Clerk of Court and Chief Administrative Officer, Office of Administrative Services (OAS), Supreme Court, and Atty. Maria Teresa B. Sibulo[3] (Atty. Sibulo), Division Clerk of Court, First Division, Supreme Court, under Republic Act No. 910, as amended by Republic Act No. 9946. Both Atty. Cunanan and Atty. Sibulo hold positions that have been conferred with judicial ranks.

Conferment of judicial rank was intended to align the salaries and privileges of certain court officials with those of Judges and Justices of the Court of Appeals (CA) during their incumbency. However, this equality in rank and salary does not automatically

entitle them to the same retirement benefits under Republic Act No. 910,[4] as amended by Republic Act No. 9946.[5]

ANTECEDENTS

Atty. Cunanan was born on November 25, 1960, and is due for compulsory retirement effective November 25, 2025. Based on the records, Atty. Cunanan has to her credit a total of 36 years, 10 months, and 23 days, or 36.89 years of government service.[6]

Atty. Sibulo was born on December 31, 1960, and is due for compulsory retirement effective December 31, 2025. Based on the records, Atty. Sibulo has to her credit a total of 38 years, 10 months, and eight days, or 38.8557 years of government service.[7]

In a Memorandum[8] dated August 27, 2025, the OAS, Supreme Court, recommended, for the Court's approval, the application for compulsory retirement of Atty. Cunanan, Deputy Clerk of Court and Chief Administrative Officer, OAS, Supreme Court, with the rank, salary, and privileges of a Regional Trial Court (RTC) Judge pursuant to the Resolution[9] dated June 20, 1995 of the Court *En Banc*, effective November 25, 2025 under Republic Act No. 910, as amended by Republic Act No. 9946.[10]

Similarly, in a Memorandum[11] dated September 10, 2025, the OAS, Supreme Court, recommended, for the Court's approval, the application for compulsory retirement of Atty. Sibulo, Division Clerk of Court, First Division, with the rank, salary, and privileges of an Associate Justice of the CA pursuant to the Resolution[12] dated January 30, 2024 of the Court *En Banc* in A.M. No. 23-12-06-SC, effective December 31, 2025, under Republic Act No. 910, as amended by Republic Act No. 9946.[13]

On May 20, 2025, the Court resolved to extend the services of Atty. Cunanan and Atty. Sibulo for a period of six months from the dates of their respective mandatory retirement.[14]

On November 7, 2025, Atty. Cunanan submitted another Memorandum[15] in support of her retirement application. She stated that, from 2020 to 2025, this Court approved the retirement applications of recent retirees under Republic Act No. 910, as amended by Republic Act No. 9946. She also stressed that their only plea, as retiring officials granted or conferred with judicial rank, is to be allowed to retire under the relevant provisions of Republic Act No. 9946, but only with respect to the five-year lump sum benefit, and not to include any claim for survivorship benefits or automatic pension increase.[16]

ISSUE

The key issue in this case is whether Atty. Cunanan, Deputy Clerk of Court and Chief Administrative Officer of the OAS, Supreme Court, who was conferred with the rank,

salary, and privileges of an RTC Judge,[17] and Atty. Sibulo, Division Clerk of Court of the First Division, conferred with the rank, salary, and privileges of an Associate Justice of the CA,[18] are both entitled to retire under Republic Act No. 910, as amended by Republic Act No. 9946, and if so, whether they are entitled to all benefits provided under the said laws.

RULING

Atty. Cunanan and Atty. Sibulo may retire under Republic Act No. 910, as amended by Republic Act No. 9946

Republic Act No. 910 primarily governs the retirement benefits of high-ranking members of the Judiciary. Sections 2 and 3 of the law originally provide:

> Section 2. In case a Justice of the Supreme Court or of the Court of Appeals dies while in actual service, his heirs shall receive a lump sum amounting to the salary that said Justice was receiving at the time of his demise for five years if by reason of his length of service in the Government he were [sic] already entitled to the benefits of this Act; otherwise his heirs shall only receive a lump sum equivalent to his last salary for two years, in addition to a reimbursement of all premiums that he may have paid under this Act. The same benefits provided in this Section shall be extended to any incumbent Justice of the Supreme Court or of the Court of Appeals who, without having attained the length of service required in section one hereof, shall have to retire upon reaching the age of seventy years, or for other causes, such as illness, to be certified to by the tribunal to which the Justice concerned belongs, which render him incapacitated to continue in his position.
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> Section 3. Upon retirement[,] a Justice of the Supreme Court or of the Court of Appeals shall be automatically entitled to a lump sum payment of the monthly salary that said Justice was receiving at the time of his retirement for five years, and thereafter upon survival after the expiration of this period of five years, to a further annuity payable monthly during the residue of his natural life equivalent to the amount of the monthly salary he was receiving on the date of his retirement.

Eventually, Republic Act No. 910 was amended by several other laws.[19] The most significant amendment was introduced by Republic Act No. 9946, which granted additional benefits for Supreme Court Justices, appellate Justices, and trial court Judges, such as automatic pension adjustments based on current salaries, and survivorship benefits for the spouses of Justices and Judges. Republic Act No. 9946 amended the original provisions of Sections 2 and 3 of Republic Act No. 910 as follows:

Section 2. Section 2 of the same Republic Act, as amended, is hereby further amended to read as follows:

> "S[ection] 2. In case a Justice of the Supreme Court or Court of Appeals, the Sandiganbayan or of the Court of Tax Appeals, or a Judge of the regional trial court, metropolitan trial court, municipal trial court in cities, municipal trial court, municipal circuit trial court, Shari'a district court, Shari'a circuit court, or any other court hereafter established, dies while in actual service, regardless of his/her age and length of service as required in Section 1 hereof, his/her heirs shall receive a lump sum of five (5) years' gratuity computed on the basis of the highest monthly salary plus the highest monthly aggregate of transportation, representation and other allowances such as personal economic relief allowance (PERA) and additional compensation allowance received by him/her as such Justice or Judge: *Provided, however*, That where the deceased Justice or Judge has rendered at least fifteen (15) years either in the Judiciary or in any other branch of Government, or both, his/her heirs shall instead be entitled to a lump sum of ten (10) years gratuity computed on the same basis as indicated in this provision: *Provided, further*, That the lump sum of ten (10) years gratuity shall be received by the heirs of the Justice or the Judge who was killed because of his/her work as such: *Provided*, That the Justice or Judge has served in Government for at least five (5) years regardless of age at the time of death. When a Justice or Judge is killed intentionally while in service, the presumption is that the death is work-related."

Section 3. Section 3 of the same Act, as amended, is hereby further amended to read as follows:

> "S[ection] 3. Upon retirement, a Justice of the Supreme Court or of the Court of Appeals, the Sandiganbayan or of the Court of Tax Appeals, or a Judge of the regional trial court, metropolitan trial court, municipal trial court in cities, municipal trial court, municipal circuit trial court, [S]hari'a district court, [S]hari'a circuit court, or any other court hereafter established shall be automatically entitled to a lump sum of five (5) years' gratuity computed on the basis of the highest monthly salary plus the highest monthly aggregate of transportation, representation and other allowances such as personal economic relief allowance (PERA) and additional compensation allowance he/she was receiving on the date of his/her retirement and thereafter upon survival after the expiration of five (5) years, to further annuity payable monthly during the residue of his/her natural life pursuant to Section 1 hereof: *Provided, however*, That if the reason for the retirement be any permanent disability contracted

during his/her incumbency in office and prior to the date of retirement, he/she shall receive a gratuity equivalent to ten (10) years' salary and the allowances aforementioned: *Provided, further*, That should the retirement under Section 1(a) hereof be with the attendance of any partial permanent disability contracted during his/her incumbency and prior to the date of retirement, he/she shall receive an additional gratuity equivalent to two (2) years lump sum that he/she is entitled to under this Act: *Provided, furthermore*, That if he/she survives after ten (10) years or seven (7) years, as the case may be, he/she shall continue to receive a monthly annuity as computed under this Act during the residue of his/her natural life pursuant to Section 1 hereof: *Provided, finally*, That those who have retired with the attendance of any partial permanent disability five (5) years prior to the effectivity of this Act shall be entitled to the same benefits provided herein.

Upon the death of a Justice or Judge of any court in the Judiciary, if such Justice or Judge has retired, or was eligible to retire optionally at the time of death, the surviving legitimate spouse shall be entitled to receive all the retirement benefits that the deceased Justice or Judge would have received had the Justice or Judge not died. The surviving spouse shall continue to receive such retirement benefits until the surviving spouse's death or remarriage."

Section 4. Two (2) new sections are hereby inserted in Republic Act No. 910, as amended, to read as Section 3-A and Section 3-B.

"S[ection] 3-A. All pension benefits of retired members of the Judiciary shall be automatically increased whenever there is an increase in the salary of the same position from which he/she retired."

"S[ection] 3-B. The benefits under this Act shall be granted to all those who have retired prior to the effectivity of this Act: *Provided*, That the benefits shall be applicable only to members of the Judiciary: *Provided further*, That the benefits to be granted shall be prospective."

While Republic Act No. 910 was initially applicable only to Judges and Justices, certain court officials were granted judicial rank, privileges, and benefits in recognition of the nature, scope, and importance of their roles, which are closely related to judicial functions. To be clear, conferment of judicial rank to court officials and the grant of similar benefits and privileges to them as those of Justices and Judges could be done by law or by the Court's issuance of an *En Banc* Resolution.

Presidential Decree No. 828,[20] the law that created the Office of the Court Administrator, simultaneously grants the Court Administrator the same rank, privileges, and compensation as the Presiding Justice of the CA. On the other hand, the Deputy Court Administrators were granted the same rank, privileges, and compensation as that of an Associate Justice of the CA.[21]

With the intent to equalize the salaries of other court officials while they are in service with those of Judges and Justices of the CA, the Court also granted judicial rank, salary, and privileges equivalent to those of a Judge or a CA Justice to certain court officials by Court Resolution.

The foundation of the Court's power and authority to grant judicial rank and prescribe compensation to its officials comes from the mandate of fiscal autonomy under Section 3,[22] and related thereto the Court's power to appoint officials in Section 5(6)[23] and its power of administrative supervision pursuant to Section 6,[24] all in Article VIII of the Constitution. In *Re: Request of Atty. Ma. Piedad B. Ferrer-Campaña, Deputy Clerk of Court and Reporter to Retire Under Republic Act No. 910*,[25] the Court explained that:

> The fiscal autonomy enjoyed by the Judiciary and other constitutional bodies contemplates a guarantee of full flexibility to allocate and utilize their resources with the wisdom and dispatch that their needs require. It recognizes the power and authority to. . . fix rates of compensation not exceeding the highest rates authorized by law for compensation and pay plans of the government and allocate and disburse such sums as may be provided by law or prescribed by them in the course of the discharge of their functions.
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> The exclusive authority of the Court under Section 6, Article VIII is reproduced in Section 20, Chapter 4, Book II of the Administrative Code of 1987. Although administrative supervision is fundamentally equated with the imposition of disciplinary measures, it underscores the inherent power of the Supreme Court to oversee all matters relating to the general concept of "administrative supervision." Such concept includes the determination of the salary of Members and personnel in the Judiciary, provided that its amount is within the limits of the law, with the end in view of encouraging the official or employee to perform his tasks and responsibilities in accordance with the stringent demands of judicial service. No other [branch] of the government may intrude into this judicial power without running afoul of the doctrine of separation of powers.[26]

By virtue of the Court's power and authority vested by the Constitution, and to recognize the substantial work of other court officials and highlight the importance of their roles within the entire Judiciary, the Court subsequently issued several *En Banc* Resolutions granting them equivalent rank, salary, privileges, and compensation at par

with Judges and Associate Justices of the CA. Some of the notable *En Banc* Resolutions are as follows:

1) *En Banc* Resolution dated June 16, 1971	The Court appointed Romeo D. Mendoza as Clerk of Court with the rank and privileges of a Judge of the Court of First Instance.
2) *En Banc* Resolution dated November 6, 1979	The Court appointed Atty. Gloria C. Paras as Clerk of Court, Supreme Court with the same rank, privileges, and compensation as those of the Presiding Judge of specialized courts.
3) *En Banc* Resolution dated November 22, 1979	The Court appointed Atty. Corazon C. Serevo as Clerk of Court, First Division, and Atty. Daniel T. Martinez as Clerk of Court, Second Division, each granted with the rank, salary, and privileges of a Judge of the Court of First Instance.
4) *En Banc* Resolution dated December 4, 1979	The Court appointed Atty. Vicente Bengzon, Jr. as Secretary (Clerk of Court) with the rank and privileges of a Judge of the Court of First Instance.
5) *En Banc* Resolution dated September 2, 1993	The Court appointed Atty. Luzviminda D. Puno as Clerk of Court, vice Atty. Daniel T. Martinez, as Clerk of Court, entitled to the rank, salary, and privileges of a Presiding Judge of a specialized court. At the same time, the retirement of Atty. Daniel T. Martinez was approved by the Court under Republic Act No. 910, as amended.
6) *En Banc* Resolution dated June 20, 1995	The Court granted judicial ranking to the following officials of the Judiciary: (i) Clerk of Court - with the rank, salary, and privileges of an Associate Justice of the CA; (ii) Assistant Clerk of Court and Division Clerk of Court of the 1st, 2nd, and 3rd Division - with the rank, salary, and privileges of a Presiding Judge of the Specialized Court [Court of Tax Appeals (CTA)]; and (iii) Administrative Officer, Chief Reporter, Chief Attorney, Chief of Judicial Records Office, Bar Confidant, Chief of Management Information Systems Office, Executive Officer, and Deputy Clerk of Court-at-Large - with rank, salary, and privileges of an RTC Judge.

7) *En Banc* Resolution dated April 27, 2004, in relation to *En Banc* Resolution dated June 20, 1995	The Court granted the Judicial and Bar Council Executive Officer with the rank, salary, and privileges of an RTC Judge.
8) *En Banc* Resolution dated October 24, 1996 (Reorganizing and Strengthening the Office of the Court Administrator)	Two positions of Assistant Court Administrators were created simultaneously granting them with the rank, salary, and privileges as the Presiding Judge of the CTA.
9) *En Banc* Resolution dated February 7, 2006	The Court changed the position title of the Chief of the Fiscal Management and Budget Office (FMBO) to Deputy Clerk of Court and Chief FMBO.
10) *En Banc* Resolution dated January 29, 2019 in A.M. No. 08-2-14-SC (Re: Request for Upgrading the Salaries of the Chiefs of Offices and Assistant Chiefs of Offices in the Office of the Court Administrator)	The Court resolved to grant the following Chiefs of Office of the OCA, the rank, salary, privileges, and other benefits appurtenant to the position of an RTC Judge: (i) OAS; (ii) FMBO; (iii) Court Management Office; (iv) Legal Office; and (v) Office on Halls of Justice.
11) *En Banc* Resolution dated January 30, 2024 in A.M. No. 23-12-06-SC (Re: Change in the Appellation / Nomenclature of the Judicial Rank of the Division Clerks of Court of the First, Second, and Third Divisions of the Supreme Court from "Presiding Justice of a Specialized Court (CTA)" to "Associate Justice of the CA")	The Court granted the request of Division Clerks of Court to change the appellation of their judicial rank or *colatilla* from "Presiding Judge of a Specialized Court [CTA]" to "Associate Justice of the Court of Appeals."
12) *En Banc* Resolution dated April 16, 2024 in A.M. No. 24-01-17-SC (Re: Appointment of Assistant Court Administrator [Spokesperson] in the Public Information Office of the Supreme Court)	The Court resolved to reorganize the Supreme Court Public Information Office as follows: (i) Supreme Court Communications Office, headed by the Supreme Court Chief Communications Officer; and (ii) Supreme Court Office of the Spokesperson, headed by the Supreme Court Spokesperson Both with the rank, salaries and privileges of an Assistant Court Administrator.

13) *En Banc* Resolution dated July 8, 2025 in A.M. No. 2024-052-Ret.	The Court changed the judicial rank/*colatilla* of the Deputy Clerk of Court, *En Banc* from Presiding Judge of a Specialized Court (CTA) to Associate Justice of the CA.[27]

The aforementioned *En Banc* Resolutions from 1971 to 2025 have conferred judicial rank on various officials/positions, including the Clerk of Court,[28] Division Clerks of Court,[29] Court of Appeals and Sandiganbayan Clerks,[30] Judicial and Bar Council Executive Officers,[31] Assistant Court Administrators,[32] and other supervisory officials within the Office of the Court Administrator.[33]

As these court officials were conferred the same rank and privileges as Judges and Justices of the CA, the question on whether they are similarly allowed to retire under Republic Act No. 910 also arose.

Although Republic Act No. 910 did not expressly provide that the benefits and privileges extended therein would apply to court officials conferred with judicial rank, the Court, in the Resolutions dated July 30, 1987 and July 3, 1990,[34] declared that all court officials vested by *En Banc* Resolution or by law with judicial rank, salary, and privileges shall retire under Republic Act No. 910, as amended.[35] These Resolutions were later cited in the Resolution dated November 24, 2003 of the Court *En Banc* in A.M. No. 02-12-01-SC[36] as precedents for interpreting the term "privileges" in the context of judicial "rank, salary and privileges."[37]

Eventually, all officials of the Judiciary who were granted judicial rank were allowed to retire under Republic Act No. 910, as amended now by Republic Act No. 9946. The Court observes that from 1993 to 2025, 48 officials with judicial rank are already enjoying such benefits.[38] The most recent were from 2020 to 2025, to wit:

1. Atty. Edna B. Camba – Deputy Clerk of Court and Reporter (*En Banc* Resolution dated September 15, 2020)[;]
2. Atty. Jesusa Jean D. Reyes – Executive Officer, [Mandatory Continuing Legal Education Office] (*En Banc* Resolution dated February 28, 2023)[;]
3. Atty. James D.V. Navarrete – Deputy Clerk of Court At-Large, OCA (*En Banc* Resolution dated November 28, 2023)[;]
4. Hon. Jenny Lind R. Aldecoa-Delorino – Deputy Court Administrator (*En Banc* Resolution dated May 28, 2024)[;]
5. Atty. Maria Luisa M. Santilla – Deputy Clerk of Court, *En Banc* (*En Banc* Resolution dated July 8, 2025) [; and]
6. Atty. Marilyn I. de Joya – Deputy Clerk of Court and Chief, FMBO (*En Banc* Resolution dated September 30, 2025.[39]

As previously discussed in *Re: Atty. Ferrer-Campaña*,[40] the Court confirmed that court officials granted judicial rank either by *En Banc* Resolution or by law shall retire

under Republic Act No. 910.[41] This was reiterated in *In Re: Expiration of Fixed Term of Office of Atty. Saaduddin A. Alauya, Office of the Jurisconsult, Zamboanga City*,[42] where the Court ruled that "the term 'privileges of an RTC judge and the conferment thereof must be considered as covering the retirement benefits under [Republic Act No.] 910, meaning a lump-sum payment of five years' salary and a monthly pension until death after the [five]-year period contemplated in its aforequoted Section 3."[43] The Court then explained that retirement laws should be construed liberally in favor of retirees, to achieve the humanitarian purpose of the law, and enhance the efficiency, security and well-being of government employees.[44]

Here, Atty. Cunanan and Atty. Sibulo's applications for retirement were based on the Resolution dated June 20, 1995 of the Court *En Banc*, in relation to the *En Banc* Resolution dated January 30, 2024 of the Court *En Banc* in A.M. No. 23-12-06-SC.[45] These Resolutions granted the Chiefs of Offices of the Judicial Records, Administrative Services, Reporter, Chief Attorney, and Bar Confidant, the rank, salary, and privileges of an RTC Judge. On the other hand, the Division Clerks of the Supreme Court have been granted the rank, salary, and privileges of an Associate Justice of the CA.[46]

Based on the foregoing discussion, it is only appropriate that the Court allow Atty. Cunanan and Atty. Sibulo to retire under Republic Act No. 910, as amended by Republic Act No. 9946, as court officials granted by the Court with the same rank and privileges as an RTC Judge and a CA Associate Justice, respectively. Be that as it may, and for all other court officials who may be similarly situated like them, they may be entitled to and avail of the retirement benefits as granted herein only upon applying and securing the approval of the Court.

Not all benefits under Republic Act No. 910, as amended by Republic Act No. 9946, apply to court officials conferred with judicial rank

Notably, even if court officials were granted the same rank, salary, and privileges as those of a Judge or Justice of the CA, it does not necessarily follow that all benefits provided under Republic Act No. 910, as amended by Republic Act No. 9946, would be available or extended to them.

Under Republic Act No. 910, Justices of the Supreme Court and the CA who reach a certain age and meet the specific requirements under said law will receive a lump-sum benefit, an. annuity for the remainder of their lives, and/or death benefits.

With the advent of Republic Act No. 9946, the coverage of Republic Act No. 910 was expanded to include Sandiganbayan and Court of Tax Appeals Justices, as well as all first and second level trial court Judges. The law also provides additional retirement benefits, with the retiree's last compensation and all allowances serving as the basis for computation, and non-wage benefits, including education scholarships for one child. Sections 2 and 3 of the said law also provide for survivorship benefits for the surviving

legitimate spouses of retired Justices and Judges, and automatic pension increases whenever the salary of the corresponding active position is increased.

However, not all these benefits apply to court officials conferred with judicial rank. In *Re: Resolution Granting Automatic Permanent Total Disability Benefits to Heirs of Justices and Judges Who Die in Actual Service*,[47] the Court resolved to grant lump-sum permanent physical disability benefits under Sections 2 and 3 of Republic Act No. 910, as amended, not only to the heirs of Justices and Judges, but also to the heirs of judiciary officials who have the same rank, salary, and privileges of such Justices and Judges.[48]

Conversely, in *Re: Request of Retired Deputy Court Administrator Bernardo T. Ponferrada for Automatic Adjustment of His Retirement Benefits to Include Special Allowance Under Republic Act No. 9277*,[49] the Court clarified that **the automatic adjustment of retirement benefits does not apply to court officials granted with judicial rank, whether the same is granted by law or by *En Banc* Resolution**. Initially, this case distinguished between the benefits applicable to court officials granted judicial rank by law and those granted by *En Banc* Resolution. Later, the Court modified its ruling on reconsideration and categorically held as follows:

> [T]he Court resolves to partially reconsider its Resolution dated 9 December 2008 and declares that those granted **"judicial rank" by law or by *En Banc* Resolution**, without being a judge or justice in the judiciary, are given the benefits under [Republic Act No.] 9227 as long as they are in service. **Their retirement benefits and monthly pension are computed under [Republic Act No.] 910**, including benefits under [Republic Act No.] 9227, according to the latest compensation they received at the time of their retirement. **However, they are not entitled to receive adjustments in their monthly pension under Section 3-A of [Republic Act No.] 910**.[50] (Emphasis supplied)

In *Re: DCA Ponferrada*, the Court explained that there must be an express provision in law extending the same automatic pension adjustment to court officials granted judicial rank. This is especially true because Republic Act No. 910 and Republic Act No. 9946 both specifically enumerate the individuals covered by such benefit, i.e., "a Justice of the Supreme Court, the Court of Appeals, the Sandiganbayan, or of the Court of Tax Appeals, or a Judge of the regional trial court, metropolitan trial court, municipal trial court, municipal circuit trial court, shari'a district court, shari'a circuit court,"[51] or any other court subsequently established by law. The Court also pointed out that applying Section 3-A of Republic Act No. 910, as amended by Republic Act No. 9946, to those judicially ranked would place them in a more advantageous position than those appointed as Justices and Judges, who were appointed by the President. This should not be the case because the screening and appointment of Justices and Judges is entirely different from that of court officials, thus:

> Automatic adjustment of retirement benefits to match increases in the salaries of the incumbents requires a special law like Section 3-A of

> [Republic Act No.] 910. Such retirement benefits are extended to those appointed as Justices of the Supreme Court or of the appellate courts and not to those who are merely granted judicial rank. Only those merely given judicial rank at age 70 with at least 20 years of service or at age 57 with 20 years of government service, the last 10 years[52] of which is with the judiciary before they can avail of the retirement benefits under [Republic Act No.] 910. Those merely given judicial rank retire at age 65 with 15 years of government service. Applying Section 3-A of [Republic Act No.] 910 to those judicially ranked will place them in a mere advantageous situation than those appointed as Justices. Those appointed as Justices are nominated by the Judicial and Bar Council (JBC) and then chosen by the President from among the nominees submitted by the JBC. The screening and appointing processes differentiate them from those merely granted judicial rank.[53]

This rule in *Re: DCA Ponferrada* was adopted in the Supreme Court Revised Administrative Circular No. 81-10,[54] which provides:

> **F. OTHER ENTITLEMENTS**
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> 1. All pension benefits of retired members of the Judiciary shall be automatically increased whenever there is an increase in the salary of the same position from which he/she retired.
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> 2. The benefits under [Republic Act] No. 9946 shall be granted to all those who have retired prior to its effectivity, provided that the benefits shall be applicable only to members of the Judiciary and the benefits to be granted shall be prospective, beginning February 11, 2010, the date of effectivity of [Republic Act] No. 9946.
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> 3. **The implementing guidelines provided herein shall be applicable to officials of the Judiciary who have been granted the rank, salary and privileges of a member of the Judiciary, subject to the conditions set forth in the resolutions, dated December 9, 2008, and February 17, 2009, in A.M. No. 11838-Ret.** (Emphasis supplied)

Evidently, aside from automatic pension adjustment, **court officials granted judicial rank by law or by *En Banc* Resolution are also not entitled to survivorship benefits** for the reason that both Republic Act No. 910 and Republic Act No. 9946 expressly provide survivorship benefits only in favor of "Justices of the Supreme Court, the Court of Appeals, the Sandiganbayan, or of the Court of Tax Appeals, or a Judge of the Regional Trial Court, Metropolitan Trial Court, Municipal Trial Court, Municipal Circuit Trial Court, Shari'a District Court, Shari'a Circuit Court, or any other court hereafter established."[55] The Court similarly confirmed this in the consolidated case of *Re: Application for Survivorship Pension Benefits of Hon. Juanito C. Ranjo, Former Deputy Court Administrator*,[56] where the Court ruled that:

> The Service Records of Deputy Court Administrator Ranjo show that he was Clerk of Court I prior to his appointment as Deputy Court Administrator. He is not covered by Section 3 of Presidential Decree No. 828, as amended, as he is not a member of the Judiciary appointed to the position of Deputy Court Administrator or Court Administrator. **He could not have been entitled to the benefits under Republic Act No. 9946 and his widow is not entitled to survivorship pension benefits.**[57] (Emphasis supplied)

Based on the preceding case, the only instance where the surviving spouse of a court official granted judicial rank may receive survivorship pension is under Section 3[58] of Presidential Decree No. 828. The said provision expressly provides that Justices or Judges who were later appointed as Court Administrator or Deputy Court Administrator "shall not be deemed to have lost the rank, seniority, precedence, benefits[,] and other privileges appertaining to [their] judicial position, and that [their] service in the Judiciary, to all intents and purposes, shall be considered continuous and uninterrupted."[59] Thus, Justices and Judges who were later on appointed as Court Administrator or Deputy Court Administrator may avail of all the benefits and privileges under Republic Act No. 910, as amended by Republic Act No. 9946, without qualification. Since the case is inapplicable here, the general rule will apply, i.e., there is no survivorship benefit for court officials granted judicial rank who are retiring under Republic Act No. 910, as amended by Republic Act No. 9946.

To clarify, Atty. Cunanan and Atty. Sibulo, being court officials who have been granted judicial rank as an RTC Judge and CA Associate Justice, respectively, are entitled to the equivalent salary and privileges as the judicial rank granted to them while in service. Upon retirement, their retirement benefits and monthly pension arc computed under Republic Act No. 910, as amended by Republic Act No. 9946, based on their latest compensation and all allowances, subject to the conditions provided in Supreme Court Revised Administrative Circular No. 81-10.

ACCORDINGLY, the Court resolves as follows:

a. **APPROVE** the application for compulsory retirement benefits of Atty. Maria Carina A. Matammu-Cunanan, Deputy Clerk of Court and Chief Administrative Officer, Office of Administrative Services, Supreme Court, under Republic Act No. 910, as amended by Republic Act No. 9946, with the rank, salary, and privileges of a Regional Trial Court Judge pursuant to the Resolution dated June 20, 1995 of the Court *En Banc*, **effective November 25, 2025**, subject to the availability of funds and the usual clearance requirements;

b. **APPROVE** the application for compulsory retirement benefits of Atty. Maria Teresa B. Sibulo, Division Clerk of Court, First Division, Supreme Court under Republic Act No. 910, as amended by Republic Act No. 9946, with the rank, salary, and privileges of an Associate Justice of the Court of Appeals pursuant to the Resolution dated January

20, 2024 of the Court *En Banc*, **effective December 31, 2025**, subject to the availability of funds and the usual clearance requirements; and

c. **NOTE** the Memorandum dated November 7, 2025 from Atty. Maria Carina A. Matammu-Cunanan, Deputy Clerk of Court and Chief Administrative Officer, Office of Administrative Services, Supreme Court.

SO ORDERED.

Gesmundo, C.J., Leonen, SAJ., Caguioa, Hernando, Lazaro-Javier, Inting, Zalameda, Gaerlan, Rosario, J. Lopez, Dimaampao, Marquez, Kho, Jr., and *Singh, JJ.,* concur.

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[1] *See rollo* (A.M. No. 2025-047-Ret.), pp. 68-71; and *rollo* (A.M. No. 2025-051-Ret.), pp. 37-40.

[2] *Rollo* (A.M. No. 2025-047-Ret.), pp. 1-2.

[3] *Rollo* (A.M. No. 2025-051-Ret.), pp. 1-2.

[4] Entitled "An Act to Provide for the Retirement of Justices of the Supreme Court and of the Court of Appeals, for the Enforcement of the Provisions Hereof by the Government Service Insurance System, and to Repeal Commonwealth Act Numbered Five Hundred and Thirty-Six" (1953).

[5] Entitled "An Act Granting Additional Retirement, Survivorship, and Other Benefits to Members of the Judiciary, Amending for the Purpose Republic Act No. 910, As Amended, Providing Funds Therefor and for Other Purposes" (2010).

[6] *Rollo* (A.M. No. 2025-047-Ret.), pp. 1-2.

[7] *Rollo* (A.M. No. 2025-051-Ret.), pp. 1-2.

[8] *Rollo* (A.M. No. 2025-047-Ret.), pp. 1-2.

[9] Entitled "Re: Request for Judicial Ranking" (1995).

[10] *Rollo* (A.M. No. 2025-047-Ret.), p. 2.

[11] *Rollo* (A.M. No. 2025-051-Ret.), pp. 1-2.

[12] Entitled "Re: Change in the Appellation/Nomenclature of the Judicial Rank of the Division Clerks of Court of the First, Second, and Third Divisions of the Supreme

Court from 'Presiding Judge of a Specialized Court [Court of Tax Appeals]' to 'Associate Justice of the Court of Appeals'" (2024).

[13] *Rollo* (A.M. No. 2025-051-Ret.), p. 2.

[14] *See Re: Request for Extension of Service of Three Court Officials, A.M. No. 25-05-18-SC,* May 20, 2025 [Notice, *En Banc*].

[15] *Rollo* (A.M. No. 25-11-16-SC), pp. 1-7.

[16] *Id.* at 7.

[17] Pursuant to the Resolution dated June 20, 1995 of the Court *En Banc*.

[18] Pursuant to the Resolution dated January 30, 2024 of the Court *En Banc* in A.M. No. 23-12-06-SC.

[19] Other laws which amended Republic Act No. 910, includes: (1) Republic Act No. 1797, entitled "An Act to Amend Section Three-A of Republic Act Numbered Nine Hundred and Ten, As Amended, and to Appropriate Funds to Implement Its Provisions" (1957), the first major amendment, which ensured salary increases for sitting Justices also applied to their retirement benefits; and (2) Presidential Decree No. 1438, entitled "Amending Republic Act 910 Providing for the Retirement of Justices and All Judges in the Judiciary As Amended" (1978), which provided for a lump sum of five years' gratuity computed on the basis of their salary and allowances.

[20] Entitled "Creating the Office of the Court Administrator in the Supreme Court and Providing Funds Therefor and for Other Purposes" (1975).

[21] Presidential Decree No. 828 (1975), sec 2.

[22] Section 3. The Judiciary shall enjoy fiscal autonomy. Appropriations for the Judiciary may not be reduced by the legislature below the amount appropriated for the previous year and, after approval, shall be automatically and regularly released.

[23] Section 5. The Supreme Court shall have the following powers:

> . . . .
>
> (6) Appoint all officials and employees of the Judiciary in accordance with the Civil Service Law.

[24] Section 6. The Supreme Court shall have the administrative supervision over all courts and the personnel thereof.

[25] A.M. No. 08-10-7-SC, March 3, 2009 [Unsigned Resolution, *En Banc*].

[26] *Id.*

[27] *Rollo* (A.M. No. 25-11-16-SC), pp. 1-5.

[28] *See* Resolution dated June 16, 1971 of the Court *En Banc*, where pursuant to Sections 14 and 15 of Republic Act No. 296, the Court appointed Romeo D. Mendoza as Clerk of Court with the rank and privileges of Judge of the Court of First Instance. His retirement was approved by Chief Justice Ramon C. Aquino under Republic Act No. 910, as amended (*rollo* A.M. No. 25-11-16-SC], p. 8); Resolution dated November 6, 1979 of the Court *En Banc* which states that "[t]he Court [appointed] effective November 1, 1979, Atty. Gloria C. Paras, Clerk of Court of the Supreme Court with the same rank, privileges and compensation as those of the [P]residing [J]udge of specialized courts" (*rollo* [A.M. No. 25-11-16-SC], pp. 2, 10); Resolution dated December 4, 1979 of the Court *En Banc*, which states that the Court appointed effective November 1, 1979, Atty. Vicente Bengzon, Jr., Clerk of Court, with the rank, salary, and privileges of a Judge of the Courts of First Instance as provided on Item No. 6 of Batasang Pambansa Blg. 1 (*rollo* [A.M. No. 25-11-16-SC], p. 12); and Resolution dated September 2, 1993 of the Court *En Banc*, where the Court appointed Atty. Luzviminda D. Puno as Clerk of Court, vice Atty. Daniel T. Martinez who retired on September 11, 1993, as Clerk of Court, with the rank, salary, and privileges of a Presiding Judge of a specialized court. The retirement of Atty. Daniel T. Martinez was similarly approved by Chief Justice Andres R. Narvasa, also under Republic Act No. 910, as amended (*rollo* [A.M. No. 25-11-16-SC], p. 14).

[29] *See* Resolution dated November 22, 1979 of the Court *En Banc*, which states that the Court appointed effective November 1, 1979, Atty. Corazon C. Serevo, Clerk of Court of the First Division and Atty. Daniel T. Martinez, Clerk of Court of the Second Division, each of whom will be entitled to the rank, salary, and privileges of a Judge of Court of First Instance; *rollo* (A.M. No. 25-11-16-SC), p. 11.

[30] *See* Letter dated July 5, 1985 from the Office of Budget and Management to Hon. Manuel P. Pamaran, Presiding Justice, Sandiganbayan, where the Sandiganbayan Clerk of Court and Deputy Clerk of Court were granted with the rank, salary, and privileges of a Regional Trial Court Judge and Metropolitan Trial Court Judge, respectively; *rollo* (A.M. No. 25-11-16-SC), p. 13.

[31] *See* Resolution dated April 27, 2004 of the Court *En Banc*, and in relation to the Resolution dated June 20, 1995 of the Court *En Banc*, where it conferred the Judicial and Bar Council Executive Officer with the rank, salary, and privileges of a Regional Trial Court Judge; *rollo* (A.M. No. 25-11-16-SC), pp. 18-27.

[32] Presidential Decree No. 828 (1975), sec. 2, states that: "The Chief of the Office of the Court Administrator shall be known as the Court Administrator, who shall have the same rank, privileges, and compensation as those of the Presiding Justice of the Court

of Appeals. The Court Administrator shall be assisted by Three (3) Deputy Court Administrators, who shall have the same rank, privileges and compensation as those of Associate Justices of the Court of Appeals." *See also* Resolution dated October 24, 1996 of the Court *En Banc* stating that "Two (2) positions of Assistant Court Administrators were created and shall have the same qualifications, rank, salary and privileges as the Presiding Judge of the Court of Tax Appeals"; *rollo* (A.M. No. 25-11-16-SC), pp. 3-4.

[33] *See* A.M. No. 08-2-14-SC entitled "'Re: Request for Upgrading the Salaries of the Chiefs of Offices in the Office of the Court Administrator" (2019), where the Court resolved to grant the Chief of Office of the (1) Office of Administrative Services, (2) Financial Management Office, (3) Court Management Office, (4) Legal Office, (5) Office on Halls of Justice, all of the Office of the Court Administrator, the rank, salary, privileges, and other benefits appurtenant to the position of a Regional Trial Court Judge (2019); *rollo* (A.M. No. 25-11-16-SC), p. 32. *See also* A.M. No. 24-01-17-SC entitled "Re: Appointment of Assistant Court Administrator (Spokesperson) in the Public Office of the Supreme Court" (2024); *rollo* (A.M. No. 25-11-16-SC), pp. 37-38.

[34] In the Resolutions dated July 30, 1987 and July 3, 1990, the Court permitted Clerk of Court I Vicente Bengzon, Jr. and Assistant Clerk of Court I Lourdes I. Ramirez, respectively, to retire under Republic Act No. 910. *See also Re: Request of Atty. Ma. Piedad B. Ferrer-Campaña, Deputy Clerk of Court and Reporter to Retire under Republic Act No. 910*, A.M. No. 08-10-7-SC, March 3, 2009 [Unsigned Resolution, *En Banc*].

[35] *See Re: Request of Atty. Ma. Piedad B. Ferrer-Campaña, Deputy Clerk of Court and Reporter to Retire under RA 910*, A.M. No. 08-10-7-SC, March 3, 2009 [Unsigned Resolution, *En Banc*].

[36] *Re: Resolution Granting Automatic Permanent Total Disability Benefits to Heirs of Justices and Judges Who Die in Actual Service*, 486 Phil. 148 (2004) [Per J. Garcia, *En Banc*].

[37] *Id.* at 152.

[38] *Rollo* (A.M. No. 25-11-16-SC), pp. 42-43.

[39] *Id.* at 6.

[40] *See Re: Request of Atty. Ma. Piedad B. Ferrer-Campaña, Deputy Clerk of Court and Reporter to Retire under Republic Act No. 910, A.M. No. 08-10-7-SC,* March 3, 2009 [Unsigned Resolution, *En Banc*].

[41] *Id.*

[42] 767 Phil. 22 (2015) [Per J. Velasco, Jr., *En Banc*].

[43] *Id.* at 29-30.

[44] *Id.* at 29.

[45] *Rollo* (A.M. No. 25-11-16-SC), pp. 33-36. The Resolution dated January 30, 2024 of the Court *En Banc* granted the request of the Division Clerks of Court to change the appellation of their judicial rank or *colatilla* from "Presiding Judge of a Specialized Court [CTA]" to "Associate Justice of the Court of Appeals."

[46] *Id.* at 33-34.

[47] 48 Phil. 148 (2004) [Per J. Garcia, *En Banc*].

[48] *Id.* at 152. The dispositive portion of the quoted Resolution in A.M. No. 02-12-01-SC (2003) reads:

> NOW, THEREFORE, by virtue of and pursuant to its mandates of fiscal autonomy under Section 3 and of administrative supervision over all courts and personnel thereof under Section 6 of Article VIII of the Constitution, the Court RESOLVED, as it hereby RESOLVES, to grant lump sum Permanent Physical Disability benefits provided for in Sections 2 and 3 of Republic Act No. 910, as amended, to the heirs of Justices and Judges, including judiciary officials who have the rank, salary and privileges of such Justices and Judges, who die while in the service regardless of the cause of death, except suicide or when the Justice or Judge himself is the proximate cause of the attack or assault which resulted in or caused his death[.]

[49] A.M. No. 11838-Ret., December 9, 2008 [Unsigned Resolution, *En Banc*], as modified by A.M. No. 11838-Ret., February 17, 2009 [Unsigned Resolution, *En Banc*].

[50] A.M. No. 11838-Ret., February 17, 2009 [Unsigned Resolution, *En Banc*].

[51] Republic Act No. 9946 (2010), sec. 1.

[52] This was amended by Republic Act No. 9946 to age 70, or 60 with last 3 years in Judiciary.

[53] A.M. No. 11838-Ret., December 9, 2008 [Unsigned Resolution, *En Banc*].

[54] Entitled "Guidelines on the Implementation of Republic Act No. 9946 (An Act Granting Additional Retirement, Survivorship, and Other Benefits to Members of the Judiciary, Amending for the Purpose Republic Act No. 910, As Amended, Providing Funds Therefor and for Other Purposes)" (2011).

[55] *See* Republic Act No. 9946 (2010), sec. 1, 2, and 3.

[56] A.M. No. 14082-Ret., October 9, 2012 [Unsigned Resolution, *En Banc*].

[57] *Id.*

[58] Section 3. *Qualifications, Appointment and Tenure*. - The Court Administrator and the Deputy Court Administrators shall have the same qualifications as Justices of the Court of Appeals. They shall be appointed by the Supreme Court and shall serve until they reach the age of sixty-five (65) years or become incapacitated to discharge the duties of their office, but may be removed or relieved for just cause by a vote of not less than eight (8) Justices of the Supreme Court; provided that a member of the Judiciary appointed to any of the positions, shall not be deemed thereby to have lost the rank, seniority, precedence, benefits, and other privileges appertaining to his judicial position, and his service in the Judiciary, to all intents and purposes, shall be considered as continuous and uninterrupted.

[59] *See Re: Application For Survivorship Pension Benefits of Hon. Juanito C. Ranjo, Former Deputy Court Administrator*, A.M. No. 14082-Ret., October 9, 2012 [Unsigned Resolution, *En Banc*].

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