Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 354-2024

TO : THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A CIRCUIT COURTS, THE OFFICE OF THE STATE PROSECUTOR, PUBLIC ATTORNEY'S OFFICE, AND THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT: BAR MATTER NO. 5067 (RE: REVISING QUALIFICATIONS FOR *SHARI'AH* BAR CANDIDATES)

For the **information**, **guidance**, and **strict observance** of all concerned, quoted below and appended as Annex "A" is the Court *en banc* Resolution dated September 09, 2024 in **Bar Matter No. 5067** *(Re: Revising Qualifications for Shari'ah Bar Candidates)*, which **RESOLVED** to **APPROVE** and **ADOPT** the **Qualifications for the 2025 and Succeeding *Shari'ah* Special Bar Examinations (SSBEs)**, to wit:

> **Section 1. General Requirements for all *Shari'ah* Bar Candidates** – Every applicant for admission to the *Shari'ah* Bar must be:
>
> 1. A Filipino Citizen;[1]
> 2. At least 21 years of age; [2]
> 3. One who has a Philippine domicile;
> 4. One who possesses good moral character;[3]
> 5. One against whom no charges involving moral turpitude have been filed or are pending in any court in the Philippines;[4] and
> 6. One who has completed the required training/academic requirements.
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> For the purpose of taking the SSBE, the term 'domicile' shall mean the place where a person actually or constructively has a permanent home, where said

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[1] CONST., art. XII, SEC. 14.
[2] Bar matter No. 2716, July 14, 2015, *Re: 13th Shari'ah Bar Examinations. See also* RULES OF COURT, Rule 138, sec. 2.
[3] *Id.*
[4] *Id.*

person eventually intends to return and remain, no matter where he or she may be found at any given time.[5]

Section 2. Training/Academic Requirements to take the 2025 and Succeeding SSBEs – For the purpose of taking the SSBE, candidates with any of the following qualifications are deemed to possess the training/academic requirements required under the preceding section:

1. Successfully completed the 2024 NCMF-Philippine Judicial Academy (PHILJA)'s 60-day STS. The STS shall consist of the following subjects: (a) Jurisprudence *(Fiqh)* and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts;

2. Successfully completed the NCMF's STS with a validity period of three years. Thus, for the 2025 SSBE, the applicants must have completed the NCMF's STS for the years 2021-2023. Consequently, for the 2026 and succeeding SSBE, the validity period for the STS must be observed accordingly;[6]

3. Holder of a bachelor's degree or a postgraduate degree in Islamic Studies or Islamic Law from an accredited local or recognized foreign academic institution;

4. Completed academic credits in the four core subjects of the STS, particularly: (a) Jurisprudence *(Fiqh)* and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts from an accredited law school in the Philippines;

5. Holder of a bachelor or professional degree in law from an accredited local or recognized foreign academic institution with academic credits in the four core subjects of the STS, particularly: (a) Jurisprudence *(Fiqh)* and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts; or

6. A member of the Philippine Bar who has completed the required number of Mandatory Continuing Legal Education (MCLE) units in: (a) Jurisprudence *(Fiqh)* and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts, as determined and certified by the MCLE Board.

Candidates who meet the qualifications under Nos. 3, 4, and 5 need not undergo the NCMF-PHILJA's 60-day STS. PHILJA will issue a certificate of exemption, specifying that the candidate has already completed the academic credits in the four core subjects of STS. *Provided that*, when a candidate lacks academic credits in: (a) Jurisprudence *(Fiqh)* and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts, they shall be required

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[5] *See* Black's Law Dictionary. *See also Saludo, Jr. v. American Express International, Inc.*, 521 Phil. 585, 600 (2006) [Per J. Callejo, Sr., First Division].

[6] *See* Bar Matter No. 2716, July 14, 2015, *Re: 13th Shari'ah Bar Examinations.*

to complete the same through the NMCF-PHILJA's 60-day STS. PHILJA will issue a certification, specifying the particular core subjects that the candidate has completed.

For the 2026 SSBE, PHILJA will no longer offer the 60-day STS. Instead, candidates must complete the core courses from an academic institution.

Further, if the candidates wish to review, they may enroll in any *Shari'ah* review center of their choice.

December 17, 2024

RAUL B. VILLANUEVA
Court Administrator

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Annex "A"

Republic of the Philippines
Supreme Court
Manila

EN BANC

B.M. No. 5067 (Re: Revising Qualifications for *Shari'ah* Bar Candidates)

RESOLUTION

WHEREAS, in a Resolution dated September 20, 1983, the Supreme Court *En Banc* unanimously approved the Special Rules of Procedure in the *Shari'ah* Courts or the *Ijra-at al Mahakim Al Shari'ah* and the Rules Governing the Special Examinations for the *Shari'ah* Courts;

WHEREAS, in a Resolution dated July 14, 2015, the Court promulgated Bar Matter No. 2716, titled, "Adopting the Rules for the *Shari'ah* Special Bar Examinations";

WHEREAS, the 1983 Resolution obligates *Shari'ah* Special Bar Examinations (SSBE) candidates to complete a seminar on Islamic Law and Jurisprudence required and authorized by the Supreme Court, while the 2015 Resolution mandated a 45-day training seminar conducted by the National Commission on Muslim Filipinos (NCMF);

WHEREAS, previous SSBEs have produced few qualified *Shari'ah* counselors-at-law over the years, contrary to the Court's commitment to enhance equal access to justice;

WHEREAS, the SSBE serves as a vehicle to ensure that people in disadvantaged areas gain physical, economical, and inclusive access to appropriate and effective means of meeting their justice needs and furthering their rights;[1]

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[1] Memorandum Order No. 76-022.

WHEREAS, pursuant to Republic Act No. 11054, Article X, Section 12, the Court is empowered to administer the SSBE for admission of applicants to the Philippine Bar as special members to practice law in *Shari'ah* courts;

WHEREAS, pursuant to the Strategic Plan for Judicial Innovations (SPJI) 2022–2027, reforms on the conduct of the SSBE must be pursued to bolster *Shari'ah* practice and to effectively administer and enforce *Shari'ah* in the country;

WHEREAS, the reforms for the conduct of the SSBE strengthen the foundations of the justice system and aid this Court in its aim of having an inclusive legal framework that acknowledges all identities and amplifies the voices of minority;

WHEREAS, the Court implemented several reforms in the conduct of the 2024 SSBE with roaring success, which include the following: (a) the conduct of two batches of *Shari'ah* Training Seminars (STS), qualifying more candidates to take the SSBE; and (b) the digitalization and regionalization of the SSBE, similar to the regular Bar examinations. Further, the Court retained the PHP 2,000.00 SSBE application fee for indigent applicants and allowed the installment scheme for applicants who demonstrated meritorious reasons warranting the leniency in the payment of the increased SSBE fees.[2]

WHEREAS, the first regionalized and digitalized SSBE, chaired by Associate Justice Maria Filomena D. Singh, was successfully held on April 28 and May 2, 2024 at the University of the Philippines-Diliman and Ateneo de Davao University, with 853 examinees completing it. Of these, 77 took the SSBE manually in Arabic using pen and paper. A total of 183 examinees or 21.45% passed the 2024 SSBE and remarkably, 62.3% of whom are women.[3]

NOW, THEREFORE, the Court resolves, upon the recommendations of Senior Associate Justice Marvic M.V.F. Leonen and Associate Justice Japar B. Dimaampao of the Committee on Access to Justice/Underserved Areas, and Associate Justices Maria Filomena D. Singh and Antonio T. Kho, Jr., Chairpersons of the 18th and 19th SSBEs, respectively, to **APPROVE** and **ADOPT** the **Qualifications for the 2025 and Succeeding SSBEs.**

Section 1. General Requirements for all *Shari'ah* Bar Candidates – Every applicant for admission to the *Shari'ah* Bar must be:

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2 *See* Bar Matter No. 4400, July 25, 2023, *Re: 18th Shari'ah Bar Examinations.*

3 *See* <https://sc.judiciary.gov.ph/results-of-the-2024-shariah-bar-examinations/>; last accessed on July 16, 2024.

1. A Filipino Citizen;[4]

2. At least 21 years of age;[5]

3. One who has a Philippine domicile;

4. One who possesses good moral character;[6]

5. One against whom no charges involving moral turpitude have been filed or are pending in any court in the Philippines;[7] and

6. One who has completed the required training/academic requirements.

For the purpose of taking the SSBE, the term 'domicile' shall mean the place where a person actually or constructively has a permanent home, where said person eventually intends to return and remain, no matter where he or she may be found at any given time.[8]

Section 2. Training/Academic Requirements to take the 2025 and Succeeding SSBEs – For the purpose of taking the SSBE, candidates with any of the following qualifications are deemed to possess the training/academic requirements required under the preceding section:

1. Successfully completed the 2024 NCMF-Philippine Judicial Academy (PHILJA)'s 60-day STS. The STS shall consist of the following subjects: (a) Jurisprudence (*Fiqh*) and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts;

2. Successfully completed the NCMF's STS with a validity period of three years. Thus, for the 2025 SSBE, the applicants must have completed the NCMF's STS for the years 2021–2023. Consequently, for the 2026 and succeeding SSBE, the validity period for the STS must be observed accordingly;[9]

3. Holder of a bachelor's degree or a postgraduate degree in Islamic Studies or Islamic Law from an accredited local or a recognized foreign academic institution;

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4 CONST., art. XII, sec. 14.
5 Bar Matter No. 2716, July 14, 2015, *Re: 13th Shari'ah Bar Examinations*. *See also* RULES OF COURT, Rule 138, sec. 2.
6 *Id.*
7 *Id.*
8 *See* Black's Law Dictionary. *See also Saludo, Jr. v. American Express International, Inc.*, 521 Phil. 585, 600 (2006) [Per J. Callejo, Sr., First Division].
9 *See* Bar Matter No. 2716, July 14, 2015, *Re: 13th Shari'ah Bar Examinations*.

4. Completed academic credits in the four core subjects of the STS, particularly: (a) Jurisprudence (*Fiqh*) and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts from an accredited law school in the Philippines;

5. Holder of a bachelor or professional degree in law from an accredited local or recognized foreign academic institution with academic credits in the four core subjects of the STS, particularly: (a) Jurisprudence (*Fiqh*) and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts; or

6. A member of the Philippine Bar who has completed the required number of Mandatory Continuing Legal Education (MCLE) units in: (a) Jurisprudence (*Fiqh*) and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; and (d) Procedure in *Shari'ah* Courts, as determined and certified by the MCLE Board.

Candidates who meet the qualifications under Nos. 3, 4, and 5 need not undergo the NCMF-PHILJA's 60-day STS. PHILJA will issue a certificate of exemption, specifying that the candidate has already completed the academic credits in the four core subjects of STS. *Provided that*, when a candidate lacks academic credits in: (a) Jurisprudence (*Fiqh*) and Customary Laws (Adat); (b) Persons, Family Relations, and Property; (c) Succession, Wills/Adjudication, and Settlement of Estates; or (d) Procedure in *Shari'ah* Courts, they shall be required to complete the same through the NCMF-PHILJA's 60-day STS. PHILJA will issue a certification, specifying the particular core subjects that the candidate has completed.

For the 2026 SSBE, PHILJA will no longer offer the 60-day STS. Instead, candidates must complete the core courses from an academic institution.

Further, if the candidates wish to review, they may enroll in any *Shari'ah* review center of their choice.

September 9, 2024, Manila, Philippines.

ALEXANDER G. GESMUNDO
Chief Justice

MARVIC M.V.F. LEONEN
Senior Associate Justice

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

RAMON PAUL L. HERNANDO
Associate Justice

AMY C. LAZARO-JAVIER
Associate Justice

On leave
HENRI JEAN PAUL B. INTING
Associate Justice

RODIL V. ZALAMEDA
Associate Justice

MARIO V. LOPEZ
Associate Justice

SAMUEL H. GAERLAN
Associate Justice

RICARDO R. ROSARIO
Associate Justice

JHOSEP Y. LOPEZ
Associate Justice

JAPAR B. DIMAAMPAO
Associate Justice

JOSE MIDAS P. MARQUEZ
Associate Justice

ANTONIO T. KHO, JR.
Associate Justice

On leave
MARIA FILOMENA D. SINGH
Associate Justice