

SC CIRCULAR NO. 19, August 04, 1987

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ADMINISTRATIVE SUPERVISION OF COURTS

TO :

ALL JUDGES OF THE REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT:

AMENDED Guidelines and Procedures on Applications for Search Warrants for Illegal Possession of Firearms and other Serious Crimes Filed in Metro Manila Courts and Other Courts with Multiple Salas

This Court has received reports of delays while awaiting raffle, in acting on applications for search warrants in the campaign against loose firearms and other serious crimes affecting peace and order. There is a need for prompt action on such applications for search, warrant. Accordingly, these amended guidelines in the issuance of a search warrant are issued:

- All applications or search warrants relating to violations of the Anti-subversion Act, crimes against public order as defined in the Revised Penal Code, as amended. illegal possession of firearms and/or ammunitions and violations of the Dangerous Drugs Act of 1972, as amended, shall no longer be raffled and shall immediately be taken cognizance of and acted upon by the Executive Judge of the Regional Trial Court, Metropolitan Trial Court, and Municipal Trial Court under whose jurisdiction the place to be searched is located.
- In the absence of the Executive Judge, the Vice Executive Judge shall take cognizance of and personally act on the same. In the absence of the Executive Judge or Vice-Executive Judge, the application may be taken cognizance of and acted upon and any judge of the Court where the application is filed.
- Applications filed after office hours, during Saturdays, Sundays and holidays, shall likewise be taken cognizance of and acted upon by any judge of the court having jurisdiction of the place to be searched, but in such cases the applicant shall certify and state the facts under oath, to be satisfaction of the judge, that its issuance is urgent.
- Any judge acting on such application shall immediately and without delay personally conduct the examination of the applicant and his witnesses to prevent the possible leakage of information. He shall observe the procedures, safeguards, and guidelines for the issuance of search warrants provided for in this Court's Administrative Circular No. 13, dated October 1, 1985.
- This Circular shall take effect immediately.

Please be guided accordingly.

August 4, 1987.

(Sgd.) CLAUDIO TEEHANKEE

Chief Justice

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