

OCA CIRCULAR NO. 08-2013, January 24, 2013

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TO : All Judges and Court Personnel of the First and Second Level Courts.

SUBJECT : Reiterating Security Protocol for the First and Second Level Courts.

In the wake of the recent shooting incident that occurred in the Palace of Justice, Cebu City, Memorandum Order No. 42-2007 providing for an interim security protocol for the first and second level courts is hereby REITERATED. The pertinent provisions of Memorandum Order No. 42- 2007 are as follows:

WHEREAS, members of the judiciary especially the judges of the first and second level courts are continuously exposed to violent attacks from would-be assassins and there are no existing security protocols for the safety of the judges. and other court employees;

WHEREAS, the Committee on Security for the Judiciary... has resolved to provide the judges of the first and second level courts with an interim security protocol to improve security and safety measures inside the courtrooms and halls of justice (HOJ);

NOW THEREFORE, pending the issuance of comprehensive security protocol for the lower courts and in the interest of the service, the following interim measures are hereby adopted and shall be immediately implemented:

- 1) All court employees are required to wear and prominently display their identification cards (ID) at all times while on official duty. Only judges are exempted from wearing ID.
- 2) All law enforcement officers on official business should wear and display their official IDs while inside the HOJs and building which house courtrooms.
- 3) During hearings, the court shall coordinate with the appropriate agency which has custody of detention prisoners, (e.g. Bureau of Jail Management and Penology, Philippine National Police, National Bureau of Investigation, etc.) on the trial calendar and schedule of criminal cases involving these detention prisoners.
- 4) During trials of detention prisoners, the Executive Judge (EJ) shall request the PNP to assign or detail at least two (2) uniformed policemen to secure and patrol the hallways of the HOJs and court houses and their premises.
- 5) Where applicable, the HOJ shall only have one (1) entry and exit point for visitors.
- 6) The EJs shall secure a holding area in the HOJs or in the court house where detention prisoners shall be temporarily detained while awaiting trial. When no holding area is available, the detention prisoners shall be detained in the bus, van, or vehicle that they used as transport, or any secure place outside the HOJs or court houses. The detention prisoners shall be brought to the courtroom only when their cases are heard.
- 7) Before leaving the holding area or temporary detention area, the custodians shall conduct a thorough body frisking of detention prisoners to ensure that they have no concealed weapon on them.
- 8) While in the court's premises, detention prisoners shall always be handcuffed, unless the Presiding Judge

(PJ) directs otherwise.

9) In HOJs, EJs shall ensure that the court security personnel (CSP) keep a logbook of the name, address, purpose of visit and signature of guests who enter the premises. All visitors including law enforcement officers shall be required to log-in before allowed entry. All visitors are required to present adequate identification documents which they shall leave with the CSP in exchange for a court ID to be worn at all times while inside the hoj.

10) For courts not in the HOJs, the sheriff, process server, or other staff member shall be assigned by the PJ to provide security inside the courtroom.

11) All persons who wish to enter the courtroom shall be subjected to body frisking by the court's sheriff, process server, or other court personnel, before-entry. A female guest shall be frisked only by a female court employee. In addition, all bags and other things brought inside the room shall be thoroughly inspected.

12) All firearms and objects which may be used as weapons, except, those belonging to law enforcement officers who are on official business shall be deposited with the guard-on-duty of the HOJs, or with the sheriff or in the latter's absence, the Branch Clerk of Court, for courts not found in the HOJs.

13) Any illegal weapon or article, under the Revised Penal Code or existing laws, shall be confiscated and surrendered to the police officers assigned to patrol the hallways. In their absence, these things shall be surrendered to the nearest police station.

14) Where applicable, the PJ shall specify an area in the courtroom for detention prisoners. No one, except lawyers, shall be allowed to talk to or go near the detention prisoners.

15) The PJ shall place the witness stand at least one and a half meters (1 1/2 m) away from his seat. When the prisoner is on the witness stand, the custodian shall stand between the judge and the prisoner.

16) The PJ shall assign the Sheriff, Process Server, or other court employee to be present during court hearings for orderly and safe proceedings in the courtroom.

17) Finally, PJs whose lives are endangered or threatened, shall immediately inform any of the following officials...

(Hon. Jose Midas P. Marquez
Court Administrator
Office of the Court Administrator
G/F, Old Supreme Court Building,
Supreme Court
Taft Ave. cor. Padre Faura St.,
Ermita, Manila

Attention: Atty. Leah M. Enriquez
Telephone Nos. Office-5257143
Mobile-0917 8278872 v
FaxNo.-523-2315
E-mail Address: lmenriquez@sc.judiciary.gov.ph

Atty. Nonnatus Ceasar R. Rojas
Director
National Bureau of Investigation
Taft Ave. Ermita, Manila

Attention: Atty. Reynaldo O. Esmeralda

Deputy Director
Telephone Nos.
Office-523 8231 / 524 6232)
E-mail Address: oddis@nbi.gov.ph

This order shall take effect immediately upon its signing.

24 January 2013

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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