

AMENDED ADMINISTRATIVE CIRCULAR NO. 83-2015, September 05, 2017

AMENDED ADMINISTRATIVE CIRCULAR NO. 83-2015, September 05, 2017

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/94150f36a37f/>

TO: ALL JUSTICES AND CLERKS OF COURT OF THE SUPREME COURT

ALL JUSTICES AND CLERKS OF COURT OF THE COURT OF APPEALS AND THE SANDIGANBAYAN
ALL JUDGES AND CLERKS OF COURT OF THE REGIONAL TRIAL COURTS, METROPOLITAN TRIAL
COURTS, MUNICIPAL TRIAL COURTS IN CITIES, AND MUNICIPAL TRIAL COURTS

CC: OFFICE OF THE COURT ADMINISTRATOR
OFFICE OF THE REPORTER
PUBLIC INFORMATION OFFICE
SUPREME COURT LIBRARY
OTHER COURT LIBRARIES

SUBJECT: PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING
ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS
NAMES/PERSONAL CIRCUMSTANCES

WHEREAS, the Court issued Guidelines for the purpose of protecting the privacy and dignity of victims, including their relatives, in cases where the confidentiality of court proceedings and the identities of parties is mandated by law.

Thus, for the guidance of all courts, their respective clerks of court, and other court personnel, we issue the present Amended Administrative Circular (Protocol) reiterating and supplementing our Guidelines in A.M. No. 12-7-15-SC by further detailing the procedures in the promulgation, publication, and posting of decisions, resolutions, and final and interlocutory orders in the cases covered by this Protocol.

I. COVERED CASES

1. This Protocol shall govern the procedure in the promulgation, publication and posting of decisions, resolutions, and final and interlocutory orders of the courts in cases where the confidentiality of the identities of the parties, records, and court proceedings is mandated by law and/or by the rules.
2. Confidentiality of the identities of the parties, records, and court proceedings is mandated by the following laws: Republic Act (R.A.) No. 7610[8] in cases of child abuse, exploitation, and discrimination; Article 266-A of the Revised Penal Code; R.A. No. 8505[2] in cases of rape and other forms of sexual abuse or assault; R.A. No. 9208[3] in cases of human trafficking; R.A. No. 9262[4] in cases of violence against women and their children; and R.A. No. 9344[5] as amended by Republic Act 10630, in cases involving children at risk and those in conflict with the law; Republic Act No. 9775[6] in cases of child pornography; Republic Act No. 10175[7] and; Republic Act No. 10364[8], an act to institute Policies to Eliminate Trafficking in Persons especially Women-and Children,

etc.

3. This Protocol shall also apply to cases where the confidentiality of the identities of the parties, records, and court proceedings is mandated by laws or rules not expressly mentioned herein and by similar laws or rules to be enacted in the future.

II. PROSPECTIVE AND LIMITED RETROACTIVE APPLICATION

1. The decisions, resolutions, and orders issued or promulgated or to be issued or promulgated by the courts in cases covered by this Protocol shall be modified in accordance with the provisions of this Amended Administrative Circular.

2. The modification of previously issued and promulgated decisions, resolutions, and orders shall extend only to those published on the Official Website of the Supreme Court (SC Website) beginning 1996, the earliest year when decisions of the Court were uploaded and made publicly accessible.

3. Henceforth, application systems, database management systems, and all other software systems which store, retrieve, display, print, and process confidential data in any digitized form for using any type of electronic device must be designed, developed, and implemented to enforce confidentiality in accordance with this Amended Circular using appropriate techniques such as, but not limited to, encryption, data masking, data replacement, and user access rights restriction.

III. MODIFICATION REQUIREMENTS FOR COVERED CASES

1. The cases covered by this Protocol shall be modified in the following manner:

a. By replacing, with Fictitious Initials, the complete names of the women and children victims in the decisions, resolutions, and orders of the court in cases covered by this Protocol. For example, AAA should be written in place of the name of the woman victim in the crime of rape.

The courts may, in the exercise of their discretion, use different combinations of letters as long as the fictitious initials used shall not identify, directly or indirectly, the individual whose real name is replaced by the fictitious initials.

b. The personal circumstances or other information which tend to establish or compromise, directly or indirectly, the identities of the women and children victims, such as, but not limited to, their date of birth, complete address, complete names of parents, relatives, or other household members, shall be blotted out from the decision, resolution, and order of the courts in covered cases.

The complete names and personal circumstances of the victim's family members or relatives, who may be mentioned in the court's decision or resolution, shall likewise be similarly treated.

c. At the victim's instance or, if the victim is a minor, that of his or her guardian, the complete name of the accused may be replaced by fictitious initials and his or her personal circumstances blotted out from the decision, resolution, or order if the name and personal circumstances of the accused may tend to establish or compromise the victims' identities. The victims or their guardians should manifest to the trial court at the earliest opportunity, i.e., after the filing of the complaint, information, or original petition, their desire to have the name of the accused be replaced with fictitious initials and his personal circumstances be blotted out from the decision, resolution, and order of the court.

If the accused is a minor, the complete name of the accused shall be replaced with fictitious initials and his or her personal circumstances, except for the fact of minority, shall be blotted out from the decision, resolution or order.

d. As to geographical location, the decisions, resolutions, and orders in covered cases should refer only to the province where the incident occurred or where the crime was committed. References to the specific barangay or town should be blotted out from the body of the decision, resolution, or order if its identification could lead to the disclosure of the identities of the women or children victims.

2. The Court shall determine the use of fictitious initials in place of the victims' complete names at the earliest opportunity, i.e., after the filing of the complaint, information, or original petition and shall then issue an Order or Resolution to this effect.

3. The fictitious initials determined by the Court to replace the real names of the victims in covered cases should be used consistently in the body and dispositive portion of the decision, resolution, or order and in all subsequent court issuances. The court may, however, use the real names of the victims in its issuance of interlocutory orders, where the identification of the victims is necessary to avoid mistake or confusion in the enforcement of these orders.

4. The use of fictitious initials, however, may be waived by the victims in accordance with Title IV of this Protocol.

5. The order or resolution issued by the Court under Title III, Paragraph 2 of this Amended Protocol shall be effective in all subsequent proceedings in the case, even under Rules 38 of the Rules of Court and on appeal to the higher courts under Rules 41, 42, 45 or 47 of the Rules of Court

6. The court's order or resolution shall also apply to petitions for certiorari, prohibition or mandamus, under Rule 65 of the Rules of Court, filed by either the accused-appellant or the minor, children victims or women victims, as petitioner/petitioners, assailing the proceedings, orders, or judgment by a lower court in covered cases.

7. In cases where the victims or their guardians have manifested their desire to replace the complete name of the accused with fictitious initials, the caption or title of the case should be written as follows:

a. The fictitious initials in the caption or title of the case shall be followed by the case number, or government record (G.R.) number, assigned to the case written in parenthesis. For example, in the lower courts, 'People of the Philippines v. AAA (Case No. ____).'

b. If the case is appealed to the higher courts, the fictitious initials shall be followed by the case number assigned by the appellate court with proper notation of the original case number of the case before the trial court written in parenthesis. For example, 'BBB v. People (current appellate court case number [formerly lower court case number]).'

c. If the case filed is a separate and independent petition for certiorari, prohibition or mandamus under Rule 65 of the Rules of Court, the fictitious initials shall be followed by the case number assigned by the higher court. Examples are: 'BBB v. Public/Private Respondents (Case No. ____)', and 'People of the Philippines and BBB v. Public/Private Respondents (Case No. I)."

8. The rules, under this Protocol, shall also be observed in modifying the decisions, resolutions, and orders to be uploaded and already uploaded on the SC Website or the SC E-Library.

IV. WAIVER BY THE VICTIMS

1. The women and children victims, in covered cases, may, at any time, consent to the disclosure of their real names and personal circumstances in the decisions, resolutions, and orders of the court. In such case, the victims giving the consent must personally, or with the assistance of counsel, execute a written waiver in the presence of the handling Court or before a notary public.

2. In cases where the victim giving the consent is a minor, the waiver must be executed by the minor's parent or guardian. In the absence of a parent or guardian, the court shall designate a person who shall execute the waiver on the minor's behalf. The person so designated by the court must fully explain the consequences of the waiver to the minor. The waiver may be executed in the presence of the handling Court or before a notary public, and must be approved by the handling Court.
3. For good and meritorious cause shown to the handling Court, the waiver, under this Protocol, may be revoked by those who gave their consent to the disclosure of their real names and personal circumstances in the decisions, resolutions, and orders of the court.
4. The revocation of the waiver must be in writing and executed in the presence of the handling Court or before a notary public. In the latter case, the revocation shall be effective upon the approval thereof by the handling Court.
5. In cases where the waiver was executed on behalf of a minor, the revocation of such waiver may be executed by either the minor's parent, guardian or person duly designated by the handling Court for the said purpose. The handling Court to which the revocation is submitted shall give its approval if, in the exercise of its discretion, the revocation will serve the greater good of the women or children victims. The handling Court shall set the terms for the modification of decisions, resolutions, or orders between the time a waiver is made and its revocation.
6. The women or children victims waiving the confidentiality of their identities or revoking such waiver must present the waiver or revocation of the waiver, duly executed under the provisions of Title IV of this Protocol, to the handling Judge or the Court, office or officer responsible for the modification of the decisions, resolutions, and orders in cases covered by this Protocol.

V. PROMULGATION OF DECISION, FINAL RESOLUTION OR FINAL ORDER

FIRST LEVEL AND SECOND LEVEL COURTS

1. In the promulgation of decisions (original, amended or new), final resolutions, and final orders, in covered cases, in the First Level and Second Level Courts, the handling Court shall prepare two (2) copies of its decision, final resolution or order. The first copy shall be the unmodified version of the decision, final resolution or order, where the real names of the victim/victims are used and their personal circumstances are disclosed. The second (modified) copy shall be the version of the decision, resolution or order, where the fictitious name/names and personal circumstances of the victim/victims are used in accordance with this Amended Protocol.
2. The first copy or unmodified version of the decision, final resolution or order of the handling Court is confidential and shall be placed, after the promulgation thereof, by the Branch Clerk of Court, in a blue-colored envelope, duly signed, dated, the docket number of the case in the Court written thereon by the Branch Clerk of Court and sealed. If the handling Court renders an amended decision, final resolution or order, the Judge of the handling Court shall prepare two (2) copies of the amended decision, final resolution or order; the first copy containing the genuine name/names and personal circumstances of the victim/victims; and a second (modified) copy containing the fictitious name/names and personal circumstances of said victim/victims and accused if warranted. The Branch Clerk of Court thereof shall, after the promulgation of the amended decision, final resolution or order of the Court, open the blue-colored envelope, upon written authority of the Judge of the handling Court, and place the first copy of the amended decision, final resolution or order in the same blue-colored envelope, duly resealed, re-authenticated, and redated, and the docket number of the case in the Court written thereon by the Branch Clerk of Court.

3. Only the authenticated hard copies of the second (modified) copy of the promulgated decision and amended or new decision, final resolution or order of the handling Court shall be released to and served on the parties in accordance with the Rules of Court.
4. The blue-colored envelope containing the first copy of the original and/or amended or new decisions, final resolutions or orders of the Court shall be attached to and form part of the record of the case. The second (modified) copy of the original and/or amended or new decision, final resolution or order shall be attached to and form part of the open records of the case.
5. The blue-colored envelope cannot be opened or reopened without the written authority of the Judge of the handling Court; or in the absence of the Judge of the handling Court, by the pairing Judge of the handling Court; or in the absence of the pairing Judge of the handling Court, by the Executive Judge of the handling Court.
6. The blue-colored envelope may also be reopened upon written order of the Appellate Court or by the Supreme Court.

COURT OF APPEALS AND SANDIGANBAYAN

1. The member of the Court of Appeals chosen by a Division (Regular or Special) to be the ponente shall submit to the Court two (2) copies of the decision, final resolution or order of the Court. The first copy contains the genuine name/names, personal circumstances and other information of the victim/victims. The second (modified) copy contains the fictitious name and personal circumstances of such victim/victims and accused if warranted. Any member of the Court who opts to file a concurring, dissenting or separate opinion shall likewise submit to the Court a first copy which contains the genuine name/names of the victim/victims, and a second (modified) copy which contains the fictitious name/names and personal circumstances of the victim/victims of such opinion. The fictitious name/names and personal circumstances of the victim/victims and accused if warranted contained in the second (modified) copy of the dissenting, concurring or separate opinions of the other Justice/Justices of the Court shall be the same as those contained in the second (modified) copy of the decision, final resolution or final order of the ponente.
2. After the promulgation of the final copy and second (modified) copy of the decision, final resolution or order of the Court, in accordance with the Internal Rules of the Court of Appeals and the Rules of Court, the Division Clerk of Court shall place the first copy of the decision, final resolution or order as well as any concurring, dissenting or separate opinions of the other member/members of the division, in a blue-colored envelope, seal the envelope, write thereon the date and the docket number of the case in the Court of Appeals, authenticate the envelope, and cause the delivery thereof to the Reporter of the Court of Appeals for safekeeping.
3. If the original decision is amended or reversed, after the promulgation of the original decision, the ponente shall prepare and submit to the Court two (2) copies thereof, the first copy of the amended decision, final resolution or order containing the genuine name/names and personal circumstances of the victim/victims, and a second (modified) copy containing the fictitious name/names and personal circumstances of said victim/victims and accused if warranted. The first copy of the amended or new decision, final resolution or order as well as any concurring, dissenting or separate opinion of other member/members of the Division shall be promulgated by the Division Clerk of Court, who shall thereafter retrieve the blue-colored envelope containing the original copy of the first copy of the original decision, final resolution or order of the Court from the Reporter of the Court, open the envelope and place the amended or new decision/resolution in the same blue-colored envelope, redate, re-authenticate and reseal the same and return the said envelope containing the original and amended or new decisions, resolutions, and any concurring, dissenting or separate opinion to the Reporter of Court of Appeals for

safekeeping.

4. The sealed blue-colored envelope containing the original copy of the first copy of the original and amended or new decisions, final resolutions and orders of the Court cannot be opened or reopened except by the Division Clerk of Court as provided herein, or as directed by the Supreme Court, or unless with the written authority of the ponente, or by the Chairperson of the Division if the ponente has died or retired, resealed and re-authenticated and the docket number of the case written thereon.

5. After the promulgation of the original, amended or new decision, final resolution or order of the Court, the Division Clerk of Court shall furnish the ponente, the parties, the Solicitor General, the Director of Prisons if the accused is detained, and the Information and the Statistical Data Division and Judicial Records Division with hard copies of the second (modified) copy of the original, amended or new decision, final resolution or order, and attach the second (modified) copy thereof to the rollo of the case.

6. Only a hard copy of the second (modified) copy of the original and amended or new decision, final resolution or order of the Court may be published in the Official Gazette or in the Philippine Reports or Supreme Court Website if authorized by the Supreme Court.

7. The foregoing rules shall apply in the Sandiganbayan except that, after the promulgation of the original and/or amended or new decision, final resolution or order of the Sandiganbayan, the Division Clerk of Court shall place the first copy thereof in a blue-colored envelope, duly dated, authenticated and sealed, and the docket number of the case in the Sandiganbayan written thereon, and caused to be delivered to the Executive Director of the Legal and Technical Staff of the Sandiganbayan for safekeeping.

SUPREME COURT

1. The member of the Supreme Court, who is assigned by the Court (Division or En Banc) to write the decision, final resolution or order of the Court, shall prepare and submit to the members of the Court, a first copy thereof where the real or genuine name/names or identities and personal circumstances of the victim/victims are used, and a second (modified) copy, which contains the fictitious name/names and personal circumstances of the victim/victims and accused if warranted, as modified in accordance with the Title III, Paragraph 2 of the Amended Protocol. Any other member or members of the Court opting to dissent from or concur with the majority opinion or to write a separate opinion shall also submit to the Chief Justice or Division Clerk of Court a first copy and a second (modified) copy of such dissenting, concurring or separate opinion containing the same fictitious names or identities and personal circumstances of the victim/parties contained in the ponencia.

2. The judicial Staff Head of the ponente shall submit the first copy and the second (modified) copy of the decision, final resolution or order, together with any other opinion, for authentication, by the Chairperson of the Division and certification by the Chief Justice and for promulgation by the Clerk of Court, as official Court action in the case. The Judicial Staff Head of the member/members of the Court shall likewise submit a first copy and a second (modified) copy of the concurring, dissenting or separate opinion of such member/members.

3. In addition, the Judicial Staff Head of the ponente shall submit the electronic copies of the second (modified) copy of the decision, final resolution or order, accompanied by the certification, in writing, of said Judicial Staff Head of the ponente, of the authenticity of said copies, placed in a brown-colored envelope, separately marked, dated and authenticated.

4. After the promulgation of the decision, final resolution, or order of the Court, the Clerk of Court (Division or En Banc) shall place the original hard copy of the first copy of the decision, final resolution or order of the Court and of any concurring/dissenting or separate opinion, if any, in a red-colored envelope, duly sealed, initialled and

dated by the Clerk of Court who shall indicate, on the envelope, the docket number of the case in the Supreme Court and cause the delivery of the envelope and its contents to the Office of the Reporter for safekeeping.

The Clerk of Court (En Banc or Division) shall place the original hard copy of the second (modified) copy of the decision, final resolution or order of the Court as well as any concurring, separate or dissenting opinion of the other Justice or Justices inside a yellow-colored envelope, dated and authenticated by the Clerk of Court, and the docket number of the case in the Supreme Court written thereon and deliver the envelope and its contents to the Office of the Reporter for safekeeping.

5. Authenticated hard copies of the original of the second (modified) copy of the decision, final resolution or order, dissenting, concurring or separate opinion, together with the brown-colored envelope containing the electronic copies thereof shall be delivered to the Clerk of Court of the Court [Division or En Banc] who shall cause the delivery of the brown-colored envelope and its contents to the Management Information Systems Office (MISO) and shall cause the service of the authenticated hard copies of the second (modified) copy upon the parties, in accordance with the provisions of the Rules of Court, and provide hard copies of the same to the Management Information Systems Office (MISO), Public Information Office (PIO), Office of the Court Administrator (OCA), Office of the Chief Attorney (OCAT), the Supreme Court Library and the Philippine Judicial Academy (PHILJA).

6. As soon as authenticated hard copies of the second (modified) copy of the decision, final resolution or order of the Court shall have been served on the parties and disseminated in accordance with the Rules of Court, the Clerk of Court or the Division Clerk of Court shall deliver to the Office of the Reporter a reproduction of a hard copy of the second (modified) copy of the decision, final resolution or order of the Court and of any other opinion of the other member/members of the Court for the preparation of the concise synopsis and syllabus of such decision, final resolution or order duly approved by the writer of the decision or by the Chief Justice, if the writer has retired or is no longer in the judicial service, prior to publication in the Philippine Reports.

7. If the original decision, final resolution or order is amended or a new decision is rendered, after the promulgation of the original decision, the ponente shall submit to the Court a first copy of the amended decision, final resolution or order containing the genuine name and personal circumstances of the victim/victims and a second (modified) copy containing the fictitious name/names and personal circumstances of the victim/ victims and accused if warranted. The first copy and the second (modified) copy of the amended or new decision as well as any concurring, dissenting or separate opinion, shall be transmitted to the Clerk of Court (Division or En Banc) for promulgation after which the Clerk of Court (Division or En Banc) shall retrieve from the Office of the Reporter, the red-colored envelope containing the first copy of the original decision, final resolution or order as well as the yellow-colored envelope containing the second (modified) copy of the original or amended or new decision of the Court and place the first copy of the amended or new decision, final resolution or order inside the red-colored envelope and re-authenticate, redate and reseal the same. The Clerk of Court shall place the second (modified) copy of the amended or new decision, final resolution or order and any concurring/dissenting or separate opinion, in the same yellow-colored envelope, redate the envelope, and authenticate the same and cause the return of the two (2) envelopes and the contents thereof to the Office of the Reporter for safekeeping.

8. The red-colored envelope containing the first copy of the original and/or amended or new decision, final resolution or order of the Court cannot be opened except by the Clerk of Court (En Banc or Division) as provided in the Amended Protocol, or, unless with the written authority of the ponente or by the Chairperson of the Division or by the Chief Justice of the Supreme Court in an En Banc case if the ponente has died, retired or on leave, then re-authenticated, resealed and the docket number of the case written thereon by the Clerk of Court.

VI. RESPONSIBILITY FOR THE MODIFICATION OF PROMULGATED DECISIONS, FINAL RESOLUTIONS AND ORDERS

1. In the first and second level courts, only the Presiding judge of the handling Court, or the Branch Clerk of Court designated by the judge of the handling Court to modify the decision, final resolution or order of the Court shall be responsible for the modification of decisions (original or amended), final resolutions and orders in their respective courts conformably with Title III, Paragraphs 2 to 7 (a, b and c) of the Amended Protocol.
2. Only the ponente of the case in the Supreme Court, the Court of Appeals or Sandiganbayan or the Head of the Judicial Staff or any of the lawyers in the legal staff of the ponente who is designated by the latter to modify the original or amended decision, final resolution or order of the Court shall be responsible for the modification of said decision, final resolution or order of the Court conformably with Title III, Paragraphs 2 to 7 (a, b and c) of this Amended Protocol. Any member of the Supreme Court, Court of Appeals or Sandiganbayan opting to file any concurring, dissenting or separate opinion or any lawyer in the legal staff of said member and designated by the latter to modify any concurring, dissenting or separate opinion shall be responsible for the modification thereof.
3. The Head of the Public Information Office (PIO) of the Supreme Court shall be responsible for the modification of decisions, final resolutions or orders of the Supreme Court, in covered cases, published on the official website of the Supreme Court (SC Website) beginning 1996 up to July 26, 2015 when the Supreme Court issued its Administrative Circular No. 83 2015 which became effective on July 27, 2015.

VII. PUBLICATION AND POSTING OF DECISIONS AND FINAL RESOLUTIONS/ORDERS

1. Only the HARD COPY of the second (modified) copy of the decision (original, amended or new), final resolution or order of the Supreme Court and any separate, concurring or dissenting opinion, in covered cases, shall be published in the Philippine Reports, Supreme Court Reports Annotated or in Official Gazette, with the synopsis and syllabus prepared by the Office of the Reporter. Other decisions and signed resolutions not so published may also be published in the Philippine Reports in the form of memoranda prepared by the Office of the Reporter.
2. The Public Information Office (PIO) may choose and submit the decisions, final resolutions and orders of the Court in covered cases for publication in the Official Gazette and the Supreme Court Website.
3. Only the second (modified) copy of decisions, final resolutions final orders, and separate, concurring or dissenting opinion in covered cases promulgated by the Supreme Court shall be posted on the SC Website and the Supreme Court E-Library.
4. Likewise, only the second (modified) copy of decisions, final resolutions and orders promulgated by the Court of Appeals, Sandiganbayan and the lower courts in covered cases may also be posted in the SC Website, if so directed by the Supreme Court.

VIII. PROHIBITION AGAINST RELEASE TO THE PUBLIC AND THE MEDIA

1. Hard and soft copies of first copies of promulgated decisions, final resolutions and orders in covered cases, and the records, including copies thereof, certified and issued by the Clerk of Court of the First and Second Level Courts, Court of Appeals, Sandiganbayan or the Supreme Court, containing the real name/names and personal circumstances of the victim/victims and other parties mentioned in Title III, of the Amended protocol, above, shall not be release to the public and to the media, except with the written authority of the handling Court in First and Second Level Courts or by the Division in the Court of Appeals or Sandiganbayan which rendered said decision, final resolution or order; or by the Division of the Supreme Court, in Division cases; or by the Supreme

Court En Bane, in En Banc cases, which rendered said decision, final resolution or order; or when the victim/parties have a written waiver in accordance with Title IV of this Amended Protocol.

2. Neither shall the records containing the real names and personal circumstances of the parties, mentioned in Title III, Paragraph 4 above, be released to the public and to the media, except with the authority of the Judges/Justices as hereinabove provided.

3. Any Court Official or employee having personal knowledge or verified information of any decision, final resolution or order of the Court, in covered cases, containing the genuine name/names and personal circumstances of the victim/victims and accused if warranted in the hard and soft copy of the second (modified) copy thereof is mandated to submit immediately a. written report thereof to the Executive Judge of the handling Court concerned, in the First and Second Level Courts; or to the Chairperson of the concerned division of the Court of Appeals and Sandiganbayan or to the Presiding Justice thereof; or the Chairperson of the concerned Division in the Supreme Court or the Chief Justice of the Supreme Court as the case may be for appropriate action.

XI. LIABILITY

1. The court officials or staff members responsible for the modification of the decisions, final resolutions and orders by the courts, in covered cases, or tasked to handle the covered cases under the terms of this Amended Protocol, as well as the court employees designated to carry out tasks related to the implementation of this Amended Protocol, must strictly observe the provisions thereof.

2. The Court Administrator, in consultation and coordination with the Executive Judges of the First Level and Second Level Courts and the Clerks of Court thereof; the Presiding Justice, in consultation and coordination with the Associate Justices of the Court of Appeals and of the Reporter of the Court of the Court of Appeals, the Clerk of Court and Division Clerks of Court of the Court of Appeals; the Presiding Justice, in consultation and coordination with the Associate Justices of the Sandiganbayan as well as the Division Clerks of Courts and the Chief of the Legal and Technical Staff thereof, must adopt measures, rules and systems within their Courts or Offices, within three (3) months from the approval by the Supreme Court En Bane of the Amended Protocol to fully implement the terms and purposes of this Amended Protocol via appropriate Circulars or amendments of their respective "Internal Rules" for said purpose.

3. The unauthorized release to the public or to the media of hard or soft copies of the first copy of the decisions (original, amended or new), final resolutions or orders of the courts, in covered cases, as well as true copies thereof, certified and issued by the Clerks of Court of the First and Second Level Courts, Appellate Courts and the Supreme Court as well as the unauthorized use and revelation of the genuine name/names and personal circumstances of the victim/victims and accused if warranted, in covered cases, in the hard or soft copies of the second (modified) copy of said decisions, final resolutions or orders of the Court shall be considered grave offenses and shall be punishable with the penalties provided under the Civil Service Rules on Administrative Cases for grave offenses, without prejudice to the criminal or civil liabilities that the violators may incur under applicable laws.

4. Court officials and employees, by themselves and/or in connivance with private individuals, who violate and/or fail or refuse to comply with and/or abide by the terms and conditions of the Amended Protocol, may be held liable for indirect contempt, under Rule 71, Section 3 of the Rules of Court and for a grave offense, under the Civil Service Rules on administrative cases; and civilly and/or criminally liable, under the appropriate laws and rules.

5. Third parties who do not have any direct responsibility for the implementation of this Amended Protocol and

who violate the confidentiality covered by this Amended Protocol, by themselves or with connivance with Court Officials and employees may be held liable under the appropriate laws or rules.

X. EFFECTIVITY

This Amended Protocol shall take effect on upon approval thereof by the Supreme Court and the publication thereof in a newspaper of general circulation.

Issued this 5th day of September, 2017.

(SGD.) ANTONIO T. CARPIO
Acting Chief Justice

[1]Known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."

[2] Known as the "Rape Victim Assistance and Protection Act of 1998."

[3]Known as the "Anti-Trafficking in Persons Act of 1998."

[4] Known as the Anti-Violence Against Women and Their Children Act of 2004."

[5] Known as the "Juvenile Justice and Welfare Act of 20006." [6] Known as the "Anti-Child Pornography Act of 2009."

[7] Cybercrime Prevention Act of 2012, Section 4 (c)(1) and (4)(c)(2)

[8] Known as the Expanded Anti-Trafficking in Persons Act of 2012

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.