

RE: DRAFT IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11691 OR THE JUDICIARY MARSHALS ACT

A.M. No. 24-04-09-SC, August 20, 2024

Ponente: ZALAMEDA, J.

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ZALAMEDA, J.:

The Judiciary bears the crucial task of upholding the rule of law and preserving the rights and guarantees granted by the Constitution. To ensure the fulfillment of such duty, the members of the Judiciary must be free from any threat that may prevent them from exercising their functions. It is to this end that the Supreme Court sought, and the Congress provided, for the creation of a body primarily tasked to protect, defend, safeguard, watch over, provide security, and ensure the safety of the members of the Judiciary and court personnel as well as the halls where they sit.

Violent crimes committed against members of the Judiciary

In 2019, Judge Reyamar Lacaya (Judge Lacaya) of the Regional Trial Court (RTC) in Zamboanga Del Norte, was shot and killed outside a courthouse.[1] He was at the parking area when a lone gunman approached and shot him in broad daylight.[2]

In the same year, Judge Mario Anacleto Bañez (Judge Bañez) of the RTC in Ilocos Sur, was gunned down by men on a motorcycle as he was driving home to San Fernando City, La Union.[3] He was found with a bullet wound in the head and died while being taken to the hospital.[4] His killing came only four days after a former Judge, Exequiel Dagala (Judge Dagala), was shot dead inside his house in Surigao del Norte.[5]

The year after, in 2020, Judge Ma. Theresa Abadilla (Judge Abadilla) of the RTC Manila was shot in the head inside her chamber at Manila City Hall.[6] The killing was reported to have been done by Judge Abadilla's Clerk of Court, who purportedly shot her after their conversation about his work performance.[7] Unfortunately, Judge Abadilla was declared dead on arrival at the hospital.[8]

Reports reveal that the deaths of Judges Lacaya, Bañez, Dagala, and Abadilla represent just a fraction of the increasing incidents involving violent crimes committed against members of the Judiciary. There have been over 33-34 judges killed while in service.[9] Less than 10% of these cases have been resolved, and there are several wherein the instigator remains to be unidentified.[10]

In every case involving the killing of members of the Judiciary, the Court, together with the legal community, has strongly condemned such violent acts. The Court has expressed admiration for judges and their display of courage in the administration of justice. At the same time, it has exerted efforts to look into potential institutional changes, in order to enhance protection for members of the Judiciary.

Institutionalizing protection of the members of the Judiciary: Creation of the Office of the Judiciary Marshals

The Supreme Court called for a legislative act that will create a battalion-size independent armed unit patterned

after the United States (U.S.) Marshal Service to secure the judiciary and assist in the administration of justice.[11] In response, Senator Richard Gordon (Senator Gordon) introduced Senate Bill No. 1947 entitled, "An Act Creating the Office of the Judiciary Marshals, Defining its Functions and Powers, Appropriating Funds Therefor, and for Other Purposes." In his sponsorship speech, he discussed the alarming problem of killing of judges, with deaths already reaching 34 since 1999, including the following notable cases:

- In 2004, Judge Voltaire Rosales was ambushed in Batangas Road. The killer, an inmate and a drug lord in Muntinlupa, was traced through the help of Gen. Edgardo Aglipay.
- In 2007, Judge Nathaniel Pattugalan was shot dead while on board a passenger jeepney in Quezon City. The first attempt to kill him was while he was driving to work in Cagayan where a gunshot wound in the head paralyzed him.
- In 2015, Judge Erwin Alaba was mercilessly shot dead in the chest while he was driving in Baler, Aurora. His spouse was wounded in the incident.
- In the same year, Judge Wilfredo T. Nieves died after incurring multiple gunshot wounds in the head and right upper extremities. Raymond Dominguez, one of the notorious Dominguez Brothers who have been involved in carnapping since 2010, was identified as the mastermind in the killing.
- Judge Edmundo Pinlac was shot dead by motorcycle-riding gunmen while on his way to Ozamis City.

Meanwhile, in the co-sponsorship speech of Senator Ronald Dela Rosa, he highlighted the recent case of Atty. Baby Maria Concepcion Landero-Ole, who was gunned down by unidentified men while driving her pick-up truck along the Danao City Highway in Cebu.[12]

The Senators pointed out that since 2016, at least 54 judges, prosecutors, and lawyers have already been killed. Further, as of January 2021, only 23 cases had been filed in court, 15 of which were on trial, with only two convictions and six acquittals. The Philippine National Police further reported that 47 suspects were still at large, six suspects were already released, 26 suspects were detained, while seven were killed.[13]

With these reports, Senator Gordon remarked that there seemed to be a pandemic that has been causing the gruesome deaths of judges in the country. Nothing was being done except to leave the responsibility for protecting judges and resolving their cases with the police and other authorities. The government was simply letting the judges walk around as if they were expected to always remain strong and undeterred in handling cases assigned to them amid threats to their lives because of their profession.[14]

These concerns were echoed during the hearing of the Committee on Justice on House Bill No. 5691 entitled, "An Act Creating the Philippine Marshal Service, Defining Its Functions and Powers, Appropriating Funds Therefor." [15]

During the committee hearing, it was observed that in the last few years, an average of two judges were killed every year, with a total number of 31 judges killed in office. Of the 31 cases, only four or five have been considered solved. The rest remained unsolved. Many judges nationwide also continue to receive death threats in various forms. Even courthouses have been penetrated by gun-wielding individuals.[16]

House Bill No. 5691 was later substituted by House Bill No. 9086,[17] entitled "An Act Establishing the Philippine Judiciary Marshals Service, Defining its Powers, Functions, and Organizational Structure, and Appropriating Funds Therefor." The objectives for such measure are (1) to protect the members of the Judiciary and judicial personnel from violence, threats, and undue influence; (2) to secure properties and assets of the Judiciary across the country; and (3) to ensure that the performance of the duties and functions of the members of

the Judiciary and judicial personnel are free from external factors that may affect the proper and effective administration of justice.[18]

Toward this end, the legislators took inspiration from the U.S. Marshals. As early as 1789, President George Washington appointed the first 13 U.S. Marshals following the passage of the First Judiciary Act. The functions of said U.S. Marshals evolved from arresting fugitive slaves and returning them to their masters to pursuing counterfeits and confiscating properties to support the confederacy, apprehending desperados, as well as accompanying and protecting federal judges from threatened assaults. To this day, the U.S. Marshals play a crucial role in protecting federal jurists, court officers, and other threatened persons in the interest of justice.[19]

Senate Bill No. 1947 and House Bill No. 9086 were eventually passed into law on April 28, 2022 as Republic Act (RA) No. 11691 or the "Judiciary Marshals Act."

RA No. 11691 provides for the creation of the Office of the Judiciary Marshals mandated to be primarily responsible for the security, safety, and protection of the members, officials, personnel, and property of the Judiciary, including the integrity of the courts and their proceedings.[20] In relation to its primary function, the Office of the Judiciary Marshals is also empowered to (1) conduct threat assessments and launch investigations on crimes and other offenses committed against judiciary employees and court property; (2) undertake probes on allegations of irregularities, including graft and corruption, committed by members of the legal profession;[21] and (3) assist in the implementation of lawful writs and orders, witness protection, and management and disposal of seized, frozen, or forfeited assets.[22] As the "law enforcement arm of the Judiciary," the Office of the Judiciary Marshals was given concurrent jurisdiction with other law enforcement agencies in investigating crimes within its mandate.[23]

Section 15 of RA No. 11691 authorized the Supreme Court to promulgate rules and regulations necessary for its implementation. Accordingly, a technical working group (TWG) was created under the Committee on Security pursuant to Memorandum Order No. 103-2022 dated July 11, 2022.[24] The TWG is composed of (1) Associate Justices of the Supreme Court; (2) Court Administrator; (3) Associate Justices of the Court of Appeals and the Sandiganbayan; (4) presiding judges from the first and second-level courts; (5) Chief of the Management Information Systems Office; and (6) a representative from the Office of the Chief Justice.

The TWG, with security experts as consultants, convened on several occasions to carefully formulate the implementing rules and regulations of RA No. 11691, taking due consideration of the lessons gathered from the five-day study tour on the U.S. Marshals Service.

The implementing rules and regulations (1) elucidates on the manner by which the Supreme Court exercises its control and supervision over the Office of the Judiciary Marshals; (2) lays out the parameters for the performance of the specific powers, functions, and responsibilities of the Office of the Judiciary Marshals; and (3) provides details on the organization thereof and the Judiciary Marshals Academy, i.e., the composition, manner of appointment, qualifications, salaries and benefits, and tenure of the officials and personnel of the said offices.

ACCORDINGLY, the Court hereby resolves to APPROVE the "Implementing Rules and Regulations of Republic Act No. 11691 or the Judiciary Marshals Act."

The Implementing Rules and Regulations of Republic Act No. 11691 or the Judiciary Marshals Act shall take effect after fifteen (15) days from its publication in the Official Gazette or two (2) newspapers of general circulation.

SO ORDERED."

Gesmundo, C.J., Leonen, S.A.J., Caguioa, Hernando, Lazaro-Javier, Inting, M. Lopez, Gaerlan, Rosario, J. Lopez, Dimaampao, Marquez, Kho, Jr., and Singh, JJ., concur.

[1] Inquirer, Judge in Zamboanga del Norte shot dead, available at <https://newsinfo.inquirer.net/1116241/judge-in-zamboanga-del-norte-shot-dead> (last accessed August 5, 2024).

[2] Id.

[3] Inquirer, Task force formed to probe killing of Ilocos judge, available at <https://newsinfo.inquirer.net/1186710/task-force-formed-to-probe-killing-of-ilocos-judge> (last accessed August 10, 2024).

[4] Id.

[5] Id.

[6] Inquirer, Murder Inside Chamber, available at <https://newsinfo.inquirer.net/1359489/court-clerk-shoots-manila-judge-dead-then-commits-suicide> (last accessed August 5, 2024).

[7] Id.

[8] Id.

[9] Inquirer, Judiciary marshals to look into unsolved killings of judges, available at <https://newsinfo.inquirer.net/1685321/judiciary-marshals-to-look-into-unsolved-killings-of-judges> (last accessed August 5, 2024).

[10] Id.

[11] <https://legacy.senate.gov.ph/lisdata/3189728748!.pdf>. (last accessed August 12, 2024).

[12] 37 Journal, Senate, 18th Congress, 2nd Regular Session (January 20, 2021), p. 639.

[13] Id. at 638.

[14] Id. at 637-638.

[15] Committee on Justice, House, 18th Congress, 1st Regular Session (December 10, 2019), p. 44.

[16] Id.

[17] Substituted House Bill Nos. 3409, 5403, 5528, 5654, 5686, 5691, and 5736.

[18] House of Representatives Committee Affairs Department Fact Sheet on House Bill No. 9086.

[19] 37 Journal, Senate, 18th Congress, 2nd Regular Session (January 20, 2021), p. 639.

[20] Republic Act No. 11691, sec. 3.

[21] Republic Act No. 11691, sec. 4(d).

[22] Republic Act No. 11691, sec. 4(e)(g).

[23] Republic Act No. 11691, sec. 5.

[24] Creating the Technical Working Group for the Implementing Rules and Regulations for the Judiciary Marshals Act Under the Committee on Security.

EN BANC

A.M. No. 24-04-09-SC

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11691 OR THE JUDICIARY MARSHALS ACT

WHEREAS, on April 8, 2022, Republic Act No. 11691, otherwise known as the "Judiciary Marshals Act," was enacted, thereby creating the Office of the Judiciary Marshals;

WHEREAS, Section 2 of Republic Act No. 11691 provides, among others, that it is the declared policy of the State to ensure the safety and security of the members of the Judiciary, judicial personnel, and court assets, in order for the Judiciary to function independently and impartially in upholding the rule of law and in preserving the rights and guarantees granted by the Constitution;

WHEREAS, Section 3 of Republic Act No. 11691 creates the Office of the Judiciary Marshals to be primarily responsible for the security, safety, and protection of the members, officials, personnel, and property of the Judiciary, including the integrity of the courts and their proceedings;

WHEREAS, Section 15 of Republic Act No. 11691 directs the Court to promulgate such implementing rules and regulations as may be necessary to carry out the provisions of the said law and to fully operationalize the Office of the Judiciary Marshals;

WHEREAS, under the Supreme Court Strategic Plan for Judicial Innovations 2022-2027, the constitution and operationalization of the Office of the Judiciary Marshals is one of the programs targeting the Outcome of Efficiency;

NOW, THEREFORE, the Court En Banc resolves to PROMULGATE the "IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11691 OR THE JUDICIARY MARSHALS ACT."

RULE I

GENERAL PROVISIONS

Section 1. Short title. – This "Implementing Rules and Regulations of Republic Act No. 11691 or the Judiciary Marshals Act" shall be known and cited as the "The Judiciary Marshals IRR" (IRR).

Section 2. Declaration of Policy. – This IRR is promulgated in line with the declared policy of the State under Section 2 of Republic Act No. 11691 to ensure the safety and security of the members of the Judiciary, judicial personnel, and court assets, as well as to investigate allegations of irregularities, including graft and corruption, committed by justices, judges, court officials, and personnel, in order for the Judiciary to function independently and impartially in upholding the rule of law and in preserving the rights and guarantees granted by the Constitution.

To this end, an independent, professional, and organized security force under the control and supervision of the Supreme Court is necessary to protect the Judiciary from violence, threats, and undue influence; and to secure the performance of the Judiciary of its constitutionally mandated duty to administer justice in accordance with the laws of the land.

Section 3. Construction and Interpretation. – This IRR shall be liberally construed and interpreted in light of the

declared policy of the State under Section. 2 of Republic Act No. 11691.

Section 4. Definition of Terms. – For purposes of this IRR, the following terms are used and defined as follows:

(a)

Coterminous security personnel – refers to security personnel included in the plantilla of the offices of the justices of the Supreme Court and appellate courts who are not part of the Office of the Judiciary Marshals;

(b)

Court properties – refers to halls of justice, courthouses, court buildings, real and personal properties, including intangible assets, possessed, owned, or controlled by the Judiciary, and other properties, which by virtue of agreements entered into with relevant stakeholders, vests the Judiciary with legal interest;

(c)

Court officials and judicial personnel – refers to all those involved in the performance of the mandate of the Supreme Court, the appellate courts, and the first and second-level courts, as well as those providing support services in connection therewith;

(d)

Crimes – refer to acts punishable under the Revised Penal Code (RPC) and special penal laws.

(e)

Families of the members of the Judiciary, court officials, and judicial personnel – refers to the relatives of members of the Judiciary, court officials, and judicial personnel within the fourth civil degree of consanguinity or affinity as well as the immediate members of their household;

(f)

Firearm – refers to any handheld or portable weapon, whether a small arm or light weapon, that expels or is designed to expel a bullet, shot, slug, missile, or any projectile, which is discharged by means of expansive force of gases from burning gunpowder or other form of combustion or any similar instrument or implement. The

barrel, frame, or receiver is considered a firearm;

(g)

Forensic analysis – refers to the application of analytical tools and techniques in the discovery of evidence or examination of materials relevant to the investigation of a crime or other legal proceeding. It shall include, but not be limited to, the use of scientifically derived and proven methods toward the preservation, collection, validation, identification, analysis, interpretation, documentation and presentation of digital evidence derived from digital sources for the purpose of facilitating or furthering the reconstruction of events.

(h)

Graft and corrupt practices – refers to the acquisition of gain in dishonest ways, or to the act of an official or fiduciary person who unlawfully or wrongfully uses their station or character to procure some benefit for themselves or for another person, contrary to duty and the rights of others: Provided, That the definition of graft and corrupt practices as herein provided, shall be subject to any further definition as may be provided by law or jurisprudence.

(i)

Judiciary – refers to the Supreme Court, all courts created by law, and the offices under the control and supervision of the Supreme Court;

(j)

Line offices – refers to offices within the Office of the Judiciary Marshals tasked to support its operations and the performance of its mandate;

(k)

Marshals – refers to officials and personnel of the Office of the Judiciary Marshals tasked to perform the functions specified under Rule III of this IRR;

(l)

Members of the Judiciary – refers to the Chief Justice and Associate Justices of the Supreme Court, the Presiding Justice and Associate Justices of the Court of Appeals, the Sandiganbayan, and the Court of Tax Appeals, and Judges of the first and second level courts, including such other similar posts in courts as may be created by law;

(m)

Office of the Court Administrator – refers to the office created under Presidential Decree No. 828 mandated to assist the Supreme Court in the exercise of its administrative supervision over all courts;

(n)

Office of the Judiciary Marshals – refers to the office created under Republic Act No. 11691 tasked to maintain a security force to perform the functions under Rule III of this IRR, whether involved in field or administrative work, which is primarily responsible for the security, safety, and protection of the members, officials, personnel, and property of the Judiciary, including the integrity of the courts and its proceedings;

(o)

Threats – refers to a situation perceived to be, or an overt act, intended to inflict evil, injury, or damage;

(p)

Threat assessment – refers to a fact-based evaluation of relevant reports and data concerning perceived threats, with the objective of identifying, managing, or preventing potentially dangerous or violent situations;

(q)

Undue influence – refers to the unwarranted imposition of will over another person resulting in the deprivation of a reasonable freedom of choice;

(r)

Violence – refers to the unwarranted use of force or employment of machinations directed to hurt the integrity and dignity of another person, whether physical or otherwise, or the destruction of a property.

RULE II

THE OFFICE OF THE JUDICIARY MARSHALS

Section 1. Control and Supervision over the Office of the Judiciary Marshals. – The Office of the Judiciary Marshals shall be under the control and supervision of the Supreme Court. The Supreme Court, through the Chief Justice, shall direct the discharge by the Office of the Judiciary Marshals of its powers, functions, and responsibilities. The Office of the Court Administrator shall assist in the supervision of the Office of the Judiciary Marshals through the following means:

(a)

Communicating the directives and orders of the Supreme Court or the Chief Justice;

(b)

Monitoring compliance by the Office of the Judiciary Marshals of directives and orders given to it;

(c)

Processing the administrative needs or requirements of the Office of the Judiciary Marshals for its operations;

(d)

Providing operational and logistical support to the Office of the Judiciary Marshals, as may be allowed by the Supreme Court;

(e)

Serving as the organizational link of the Office of the Judiciary Marshals to the Supreme Court; provided that the Office of the Judiciary Marshals may communicate directly with the Supreme Court, through the Chief Justice, for urgent matters;

(f)

Coordinating with the Management Information Systems Office in cases involving threats related to cybersecurity;

(g)

Making the necessary recommendation, upon request of the Office of the Judiciary Marshals, with respect to the initiation of a threat assessment and a request for assistance and coordination with law enforcement agencies;

(h)

Receiving reports from the Office of the Judiciary Marshals on the discharge of its powers, functions, and responsibilities;

(i)

Accepting reports and feedback from the courts on their security requirements and concerns;

(j)

Consolidating and processing the reports of the Office of the Judiciary Marshals and providing the Supreme Court, through the Chief Justice, with appropriate and up-to-date recommendations on how the Office of the Judiciary Marshals can maintain or improve the discharge of its mandate; and

(k)

Performing other tasks as the Supreme Court may deem necessary and proper to enhance the efficiency and capability of the Office of the Judiciary Marshals.

RULE III

POWERS, FUNCTIONS AND RESPONSIBILITIES

Section 1. Powers, Functions, and Responsibilities. – The Office of the Judiciary Marshals shall have the following general powers, functions, and responsibilities:

(a)

Ensure the safety and security of the members of the Judiciary, court officials and judicial personnel, including

their families, to enable them to perform their constitutional duty to administer justice in accordance with the laws of the land;

(b)

Ensure the integrity and safety of the halls of justice and other court facilities as well as protect, preserve, and safeguard all court properties;

(c)

Conduct investigations and take necessary actions in aid of said investigative function;

(d)

Upon request of the appropriate court, assist in the implementation of writs, processes, and orders, make arrests, as well as conduct property seizures;

(e)

Carry out operational responsibilities and field work to fulfill its mandates;

(f)

Hire qualified individuals to work in any of the offices under the Office of the Judiciary Marshals;

(g)

Exercise other related functions as may be directed by the Supreme Court, through the Chief Justice.

Section 2. Protection and security of members, officials, personnel, and properties of the Judiciary. – The general functions of the Office of the Judiciary Marshals concerning protection and security shall be exercised to protect, defend, safeguard, watch over, provide security for, and ensure the security or safety of the members of the Judiciary, court officials and judicial personnel, including their families, and court properties. Towards this end, the Office of the Judiciary Marshals shall ensure that court operations and proceedings remain unhampered.

In providing for such protection and security, the Office of the Judiciary Marshals may conduct threat assessments involving potential actionable security threats to members of the Judiciary, court officials and judicial personnel, including their families, and court properties as directed by the Supreme Court, through the Chief Justice or the Court Administrator. This threat assessment may be conducted in coordination with law enforcement agencies to maximize the gathering and sharing of intelligence and information sourced or obtained from these agencies for the purpose of identifying actual and potential threats, especially the possible sources or perpetrators thereof.

Section 3. Protection and security of proceedings and meetings. – The Office of the Judiciary Marshals shall ensure the safe, secure, and orderly conduct of proceedings, trials, and hearings before all halls of justice, courthouses, and court buildings, including judicial conferences, seminars, and meetings in official places or locations, in accordance with existing rules, guidelines, and practice. For this purpose, a sufficient number of marshals shall be detailed in the above corresponding premises. If necessary, the Office of the Judiciary Marshals may, upon the directive or prior approval of the Supreme Court, through the Chief Justice, coordinate with other law enforcement agencies in providing the needed security and protection, upon the recommendation of the Court Administrator subject to the requirements set forth under Section 11 of this Rule.

Section 4. Protection and security of, or transporting, witnesses and accused. – The Office of the Judiciary Marshals shall assist in the protection of witnesses and security in the transportation of the accused or witnesses only upon an order issued by a court of competent jurisdiction where the case is pending. The Office of the Judiciary Marshals shall file the corresponding manifestation before the concerned court about the assistance or protection being required and that which has been extended by the said office.

The Office of the Judiciary Marshals shall likewise regularly submit a report to the Chief Justice, through the Office of the Court Administrator, on the assistance and protection extended to witnesses or accused and other matters relevant thereto, such as whether a witness has applied or is under a Witness Protection, Security and Benefit Program implemented by the Department of Justice.

Section 5. Investigation of crimes committed against members, officials, personnel, and properties of the Judiciary. – The Office of the Judiciary Marshals may undertake investigations and forensic analysis in relation to crimes committed against members of the Judiciary, court officials and judicial personnel, and court properties, upon the directive of the Supreme Court, through the Chief Justice. This may include coordination with law enforcement agencies to maximize the gathering and sharing of intelligence information that may be obtained or sourced from these agencies.

In the event that the Office of the Judiciary Marshals receives information that would require an investigation or forensic analysis, the same must be reported to the Supreme Court, through the Chief Justice, for proper action.

The Office of the Judiciary Marshals may also investigate crimes committed against its own officials and personnel upon the directive of the Supreme Court through the Chief Justice.

Section 6. Investigation of Members of the Judiciary, court officials, and judicial personnel for irregularities and graft and corrupt practices. – The Office of the Judiciary Marshals may conduct investigations in coordination with other law enforcement agencies regarding allegations of irregularities and graft and corrupt practices committed by members of the Judiciary, court officials, and judicial personnel, including officials and personnel of the Office of the Judiciary Marshals, only upon the directive of the Supreme Court, through the Chief Justice. The grounds for investigations may include the following:

(a)

Allegations of misconduct, misbehavior, malfeasance, or misfeasance; or

(b)

Allegations of bribery, improper solicitation, money laundering, and similar acts.

A report on the result of the investigation shall be submitted by the Office of the Judiciary Marshals to the Supreme Court, through the Chief Justice.

In the event that the Office of the Judiciary Marshals itself receives any information or complaint regarding irregularities, including graft and corruption, allegedly committed by members of the Judiciary, court officials, and judicial personnel, the same must be reported immediately to the Chief Justice.

Section 7. Power of investigation. – As part of its power to investigate, the Office of the Judiciary Marshals may (a) issue a subpoena for the appearance of any person before it; (b) apply for a search warrant before any court of law; (c) take and require sworn statements from any person summoned; (d) administer oaths; (e) have access to all public records that are under the custody of any government branch, institution, agency, or instrumentality, as well as to records of any individual under investigation that are held by private telecommunication companies; and (f) file complaints before the Office of the Ombudsman, the Department of Justice (DOJ), or the city or provincial prosecutors.

The authority given by the Supreme Court to the Office of the Judiciary Marshals to conduct investigations shall not impliedly carry with it the authority to perform the above-mentioned powers. Rather, the aforesaid powers can only be exercised when explicitly authorized by the Supreme Court.

Whenever the Office of the Judiciary Marshals finds the necessity to avail any of the aforementioned powers in the pursuit of its investigation, it may submit a written request to the Supreme Court, through the Chief Justice. Upon such written request, or on its own initiative, the Supreme Court, through the Chief Justice, may give authority to perform any or all of said powers, as may be necessary to carry out the investigation to be undertaken by the Office of the Judiciary Marshals.

Section 8. Access to public records and records held by private telecommunication companies. – When authorized by the Supreme Court, through the Chief Justice, or the Court Administrator, or the appropriate court the Office of the Judiciary Marshals shall have priority of access to public records under the custody of any government branch, institution, agency, or instrumentality.

Access to records of individuals under investigation that are held by private telecommunication companies shall be allowed only upon proper request by the Office of the Judiciary Marshals, as authorized by the Supreme Court, indicating the following:

(a)

the name and contact information of the requesting party, with valid proof of identification and authorization of the Supreme Court;

(b)

the time and date of examination;

(c)

a reasonable description of the information requested; and

(d)

the purpose of the request for records or information.

In all cases, access by the Office of Judiciary Marshals shall be subject to the appropriate provisions of Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012," or any future amendments thereto, as well as other relevant laws protecting the right to privacy of persons. Information obtained through the foregoing means shall be treated with utmost confidentiality, and only for the purposes of the case or cases under investigation.

Section 9. Powers to administer oaths, take sworn statements, and access records as directed by appropriate courts of law. – The powers to (a) take sworn statements, (b) administer oaths, and (c) access public records and records held by private telecommunication companies may also be exercised by the Office of the Judiciary Marshals in relation to cases under investigation, as directed by appropriate courts of law.

Notwithstanding the provisions of the preceding paragraph, the Office of the Judiciary Marshals cannot exercise the powers provided for under this Section once the case under its investigation becomes pending before a court of law.

Section 10. Report of the Office of Judiciary Marshals in the exercise of its power to investigate. – Upon the actual exercise of the powers in aid of investigation under Section 7 of this Rule, the Office of the Judiciary Marshals shall make a corresponding report to the Supreme Court, through the Chief Justice, on the exercise of such power within ten (10) calendar days therefrom.

Section 11. Request for assistance and coordination with law enforcement agencies. – In the performance of its functions and duties, the Office of the Judiciary Marshals may, upon the directive or prior approval of the Supreme Court, through the Chief Justice, and for compelling reasons, request assistance from and coordinate with the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), Philippine Coast Guard, Bureau of Customs, Bureau of Immigration, and other law enforcement agencies, notwithstanding their concurrent jurisdiction in the investigation of crimes committed against members of the Judiciary, court officials and judicial personnel, or with respect to court properties. In case the Office of the Court Administrator receives a request from the Office of the Judiciary Marshals regarding the need for assistance and coordination with the aforementioned law enforcement agencies, such request shall be forwarded to the Office of the Chief Justice.

In its coordination with law enforcement agencies concerning investigation of crimes and other offenses committed against members of the Judiciary, court officials, and judicial personnel, mutual gathering and sharing of intelligence shall be observed. In such cases, the relevant provisions of the Data Privacy Act of 2012, or any

future amendments thereto, as well as other related laws protecting the right to privacy of persons, shall be observed.

With regard to investigations conducted by the Office of the Judiciary Marshals concerning allegations of irregularities and graft and corrupt practices purportedly committed by members of the Judiciary, court officials, and judicial personnel, it may coordinate with the law enforcement agencies to gather information or evidence for purposes of determining their liability, if any.

Section 12. Assistance in the implementation and execution of writs. – The Office of the Judiciary Marshals shall assist in the execution and implementation of all lawful writs, processes, and orders. The justice or judge of the concerned court requiring such assistance shall submit a written request to be approved by the regional office of the Office of Judiciary Marshals, with notice to the central office and the OCA.

The execution of the writs of the Supreme Court in cases originally filed before it is assigned to the central office of the Office of the Judiciary Marshals.

Section 13. Authority to make arrests and conduct searches and seizures. – In the course of the performance of their official duties and functions, the Office of the Judiciary Marshals shall have the authority to make arrests and conduct searches and seizures. For arrests and searches by virtue of a warrant, the relevant provisions of the Constitution, existing laws, jurisprudence, and rules shall be observed.

In warrantless arrest and searches, the Office of the Judiciary Marshals is authorized to make such an arrest and search upon compliance with the requisites for its validity as provided under the Rules of Court.

In all cases, the rules governing body-worn cameras and/or alternative recording devices shall be complied with.

A warrant of arrest must be executed by the assigned marshal within a period of ten (10) calendar days from receipt. The marshal, upon the arrest of the person named in the warrant, shall submit a return of service within three (3) calendar days to the issuing court, stating the place where the arrested person is detained.

In case of failure to execute the warrant or upon the expiration of the 10-day period, a written report shall be made to the issuing court, which shall state the reason for its no-implementation.

Upon the expiration of the 10-day period, the issuing court shall ascertain if a return has been made, and if there be none, shall summon the marshal to whom the warrant was issued and require them to explain why no return was made. If the return has been made, the court shall ascertain whether the procedure under relevant rules has been complied with and whether the marshal who implemented the search warrant has instituted the corresponding criminal complaint. Thereafter, the pieces of evidence introduced during the hearing for the issuance of a search warrant shall be forwarded to the appropriate office or court where the complaint or information is pending.

Section 14. Assistance in the management and disposal of frozen, seized, or forfeited assets. – Upon lawful order of the court, the Office of the Judiciary Marshals shall assist in the management and disposal of assets frozen, seized, or forfeited by courts and deposit public money collected in the National Treasury. The assistance to be provided by the Office of the Judiciary Marshals in the management and disposal of frozen, seized, or forfeited assets shall only cover cases that are already final and executory.

In cases that are still pending, the management and disposal of assets frozen, seized, or forfeited by orders of the appropriate courts shall be governed by applicable laws, as well as pertinent rules and regulations. Assets frozen, seized, or forfeited by order of the appropriate courts involving, among others, violations of the Republic Act No. 9160, otherwise known as the "Anti-Money Laundering Act of 2001," as amended, and Republic Act No. 11479,

otherwise known as "The Anti-Terrorism Act of 2020," shall be covered by the rules on civil and criminal forfeiture, as well as those provided by the Rules of Court, and other relevant issuances of the Supreme Court.

In all instances, the Office of the Judiciary Marshals shall regularly report or make a return to the Supreme Court, through the Chief Justice or the Office of the Court Administrator, on the assistance it may have extended under this section.

Section 15. Issuance of firearms, ammunition, and other equipment. – For their personal safety and protection while in the performance of their official duties and responsibilities, and to ensure the safety and security of members of the Judiciary, court officials and judicial personnel, including their families, as well as to protect, preserve, and safekeep court properties, the officials and qualified personnel of the Office of the Judiciary Marshals shall be provided with duly-registered and suitable firearms.

The firearms shall be registered under the name of the Supreme Court, which shall then endorse the registered firearms to the Chief Marshal. As the lead custodian of the firearms, the Chief Marshal shall have the following powers and responsibilities:

(a)

Determine the number of firearms and ammunition needed by its officials and personnel, with the specific number of small arms and light weapons needed in the performance of their duties, as well as the area where these are to be used. Should the Chief Marshal find the necessity to procure any other equipment, the same may be requested from the Supreme Court, through the Chief Justice;

(b)

In accordance with Section 4(n) of the Judiciary Marshals Act, and upon the approval of the Supreme Court, issue Mission Orders (MO) and Memorandum Receipts (MR) for the purpose of providing its officials and qualified personnel appropriate number of firearms, ammunitions, and other equipment or armaments already procured and registered in the name of the Supreme Court. The MO or MR shall indicate the purpose of the mission, name of the marshal, ammunition, and equipment information, as well as the specific duration and place or places within the jurisdiction of the issuing authority, allowing the bearer thereof to carry the issued firearm within such jurisdiction, which authority shall be strictly limited to the mandate of the Office of the Judiciary Marshals. The MOs and MRs shall likewise indicate that they are being issued by competent authority pursuant to Section 4(n) of the Judiciary Marshals Act, and that the recipient is authorized to receive such MOs and MRs;

(c)

Upon the approval of the Supreme Court, issue permits to carry Supreme Court-registered firearms outside of residence to officials and personnel of the Office of the Judiciary Marshals who are tasked with ensuring the protection and safety of members of the Judiciary, court officials, and judicial personnel, including their families, which permit shall be included in the MO or MR described in the preceding paragraph. Should any official or personnel of the Office of the Judiciary Marshals be solely assigned with protecting court properties, no permit to

carry shall be issued, in which case, their firearms shall be surrendered to the appropriate official or staff of the Office of the Judiciary Marshals upon the end of their duty within the day;

(d)

Make a report as to the number of MOs or MRs with permits to carry Supreme Court-registered firearms outside of residence to the Office of the Court Administrator and furnish a copy thereof to the PNP Firearms and Explosives Office; and

(e)

Accept firearms that are surrendered upon the discharge from duty or separation from the service of an official or personnel of the Office of the Judiciary Marshals.

In the exigency of the service, the aforementioned tasks may be delegated by the Chief Marshal to the Deputy Marshals. Notwithstanding the authority given to the Chief Marshal, the Supreme Court may issue the corresponding MO and MR to any official or personnel of the Office of the Judiciary Marshals and require the Chief Marshal to issue a permit to carry a Supreme Court-registered firearm outside of residence.

The firearms shall be concealed, unless actually used for legitimate purpose. Publicly displaying firearms when not in uniform is prohibited.

Section 16. Establishment of the Judiciary Marshals Academy. – A Judiciary Marshals Academy shall be established as a separate component unit of the Office of the Judiciary Marshals and shall operate under the administration, supervision, and control of the Supreme Court, through the Office of the Court Administrator. It shall be responsible for the recruitment, training, and development of marshals and personnel engaged in field work, consistent with Rule VII of this IRR.

Section 17. Performance of other related functions. – The Supreme Court, through the Chief Justice or the Court Administrator, may order, direct, or instruct the officials and members of the Office of the Judiciary Marshals to perform other related functions such as but not limited to providing security to those offices involved in the administration of justice.

RULE IV

COMPOSITION, MANNER OF APPOINTMENT, QUALIFICATIONS, AND SALARIES OF THE CHIEF MARSHAL AND DEPUTY MARSHALS

Section 1. The Chief Marshal and Deputy Marshals. – The Office of the Judiciary Marshals shall be headed by a Chief Marshal assisted by three (3) Deputy Marshals who shall be respectively in charge of, assigned, and stationed in Luzon, Visayas, and Mindanao. For such purpose, the Chief Marshal shall hold office at the Supreme Court. The Deputy Marshals for Luzon, Visayas, and Mindanao shall hold office in Baguio City, Cebu City, and Cagayan de Oro City, respectively, without prejudice to any change in location as may be determined by the Supreme Court.

Section 2. Manner of Appointment and Salary of the Chief Marshal. – The Chief Marshal shall be appointed by

the Supreme Court En Banc. To be appointed as a Chief Marshal an applicant must possess the following qualifications:

- Be a natural-born citizen of the Philippines;
- Preferably, be a member of the Philippine Bar; and
- Be an officer who must have held a rank of at least a full Colonel in the AFP or the PNP, or an Assistant Director in the NBI, with sufficient investigative work, and thirty-six (36) hours of relevant training in investigation and law enforcement. Nonetheless, this rank requirement may be dispensed with if the applicant has a proven track record and adequate experience in investigation and law enforcement.

The Chief Marshal shall have a Salary Grade of 30.

Section 3. Manner of Appointment and Salaries of the Deputy Marshals. – The Deputy Marshals shall be appointed by the Supreme Court En Banc. To be appointed as a Deputy Marshal, an applicant must possess the following qualifications:

- Be a natural-born citizen of the Philippines; and
- Be an officer who must have held a rank of at least a full Colonel in the AFP or the PNP, or an Assistant Regional Director in the NBI, with sufficient experience in investigative work, and twenty-four (24) hours of relevant training in investigation and law enforcement. Nonetheless, this rank requirement may be dispensed with if the applicant has a proven track record and adequate experience in investigation and law enforcement.

A Deputy Marshal shall have a Salary Grade of 29.

Section 4. Physical and Neuro–Psychological Assessment. – The Chief Marshal and the Deputy Marshals shall undergo a physical and neuro–psychological assessment before they assume office. After they have assumed office, the Chief Marshal and Deputy Marshals shall be required to undergo a physical assessment every year, and a neuro-psychological assessment every two years, to determine and monitor their physical and mental fitness to continue in the discharge of their respective functions and responsibilities. Provided, That nothing herein shall prevent the Supreme Court from requiring the Chief Marshal and Deputy Marshals to undergo a separate physical and neuro-psychological assessment whenever the Supreme Court finds it necessary.

RULE V

COMPOSITION, MANNER OF APPOINTMENT, QUALIFICATIONS, AND SALARIES OF THE PERSONNEL OF THE OFFICE OF THE JUDICIARY MARSHAL

Section 1. Composition. – The qualifications, composition, and size of the personnel of the Office of the Judiciary Marshals shall be determined by the Supreme Court, which may create such offices, divisions, and units as it may deem necessary. For such purpose, the Office of the Judiciary Marshals shall be composed of at least the following line offices: (1) Judicial Security and Operations Division; (2) Investigation and Intelligence Division; (3) Legal Division, and (4) Digital Forensic Service.

Section 2. Line Offices of the Office of the Judiciary Marshals. – The line offices organized or created herein shall be involved in security, protection, investigation, forensics, information, and communications technology, legal, surveillance or intelligence, asset preservation, tactical operations, and the execution and service of writs.

The budgetary requirements for the line offices shall be proposed by the Chief Marshal and sourced from the annual appropriations of the Judiciary. In addition, the hiring and selection of personnel of the Office of Judiciary Marshals shall be processed in coordination with the Office of the Court Administrator and comply with civil

service rules and regulations, if applicable. Any subsequent promotion should be in accordance with the policies that will be adopted by the Human Resource Merit, Promotion, and Selection Board of the Office of Administrative Services and the Office of the Court Administrator.

Section 3. Creation of the Judicial Security and Operations Division. – The Office of the Judiciary Marshals shall have a Judicial Security and Operations Division which shall ensure the safety and security of the individuals and properties it is mandated to protect under this IRR. As such, the division will be responsible for determining, the number of marshals, who will be performing security and protective work, and deployed to the judicial regions nationwide. The division shall also assist in the implementation of writs, processes, and orders, make arrests, as well as conduct property seizures.

Section 4. Creation of the Investigation and Intelligence Division. – The Office of the Judiciary Marshals shall have an Investigation and Intelligence Division which shall be responsible for the conduct of investigations and take necessary actions in aid of said investigation, such as: (i) issue subpoenas for the appearance of any person for investigation; (ii) administer oaths; (iii) take and require sworn statements or judicial affidavits from any person so summoned in relation to cases under investigation; (iv) prepare the necessary documents to enable access to the records of individuals under investigation, (v) apply for search warrants before any court of law; (vi) coordinate with law enforcement agencies, and (vii) file complaints before the Office of the Ombudsman, the DOJ, or city or provincial prosecutors, upon being directed by the Supreme Court through the Chief Justice, in line with Section 7, Rule III, and with prior authorization from the Chief Marshal.

Section 5. Creation of the Legal Division. – The Office of the Judiciary Marshals shall have a Legal Division, which shall be responsible for the legal matters of the Office of the judiciary Marshals. In the performance of its functions, duties, and responsibilities it shall:

(a)

Provide legal support to the Chief Marshal and Deputy Marshals;

(b)

Provide opinions and issue draft guidelines or protocols on the lawful conduct of the Office of the Judiciary Marshals of its powers, functions, and responsibilities; and

(c)

Assess the result of investigations conducted by the Office of the Judiciary Marshals and recommend the filing of appropriate charges. In making such assessment, the division shall, in coordination with the Investigation and Intelligence Division, determine the pendency of other investigation or cases involving same parties and/or similar issues.

Section 6. Creation of the Digital Forensic Service under the Office of the Chief Marshal. – The Office of the Judiciary Marshals shall have a Digital Forensics Service, which shall be headed by a Supreme Court Senior Staff

Officer, and it shall be primarily responsible for the conduct digital forensic investigation in support of the main functions of the Office of the Judiciary Marshals. It shall be the primary unit within the Office of the Judiciary Marshals tasked to identify, acquire, process, and analyze computer data and other pieces of electronic evidence, and execute reports of examination/investigation.

Section 7. Financial and Budgetary Requirements for the Office of the Judiciary Marshals. – The hiring, recruitment, promotion, and other personnel management and allied administrative matters that the Supreme Court may determine shall be handled by the Office of Administrative Services of the Supreme Court.

The accounting, auditing, budgetary, and financial management requirements of the Office shall be undertaken by the Office of the Court Administrator and the Fiscal Management and Budget Office.

Towards this end, the manpower complement of the Office of Administrative Services, the Fiscal Management and Budget Office, and the Office of the Court Administrator shall be augmented for the additional duties they have to perform for the Office of the Judiciary Marshals.

Section 8. Organizational Structure and Staffing Pattern. – The specific divisions, units, and staffing pattern, as may be further needed, for each of the aforementioned divisions and their corresponding functions, duties, and responsibilities, as well as the creation of additional divisions or units, as may be needed shall be subsequently determined by the Supreme Court upon the recommendation of the Chief Marshal and the Deputy Marshals, in coordination with the Office of Administrative Services of both the Supreme Court and the Office of the Court Administrator.

The positions, titles, and salaries of the personnel of the Office of the Judiciary Marshals shall be in accordance with Republic Act No. 11466, otherwise known as the "Salary Standardization Law of 2019," and shall belong to the classified service and governed by civil service rules and regulations, except those positions which are highly technical and primarily confidential.

The Office of the Court Administrator shall submit the approved organizational structure and staffing pattern of the Office of the Judiciary Marshals and the filling of the identified plantilla positions may be carried out using the existing budget already allocated for the Office of the Judiciary Marshals. Further, funding for current and other plantilla positions will be forwarded to the Department of Budget and Management for the issuance of the required Notice of Organization, Staffing and Compensation Action (NOSCA), as may be appropriate.

For the foregoing purposes, an initial Staffing Pattern is herein attached as an annex, subject to revisions and amendments by the Supreme Court.

Section 9. Physical and Neuro-Psychological Assessment. – Before they can be appointed, officials and personnel of the Office of the Judiciary Marshals authorized to carry firearms shall undergo a physical and neuro-psychological assessment to determine their physical and mental fitness to perform their respective functions and responsibilities. After they have assumed office, they shall be required to undergo a physical assessment every year, and a neuro--psychological assessment every two years, to monitor such physical and mental fitness. Provided, That nothing herein shall prevent the Supreme Court from requiring such officials and personnel of the Office of the Judiciary Marshals to undergo a separate physical and neuro-psychological assessment whenever the Supreme Court, finds it necessary.

RULE VI

TENURE AND RETIREMENT OF THE CHIEF MARSHAL, DEPUTY MARSHALS, AND PERSONNEL OF THE OFFICE OF THE JUDICIARY MARSHAL

Section 1. Tenure and Retirement. – The Chief Marshal, Deputy Marshals, and officials and personnel of the Office of the Judiciary Marshals shall serve until they reach the age of sixty-five (65), unless they sooner become incapacitated to discharge their duties or separated for cause from the service.

Section 2. Dismissal for Just Cause; vote of no confidence. The Chief Marshal and Deputy Marshals may be dismissed or relieved from office for just cause by a vote of not less than eight (8) justices of the Supreme Court. Just cause as a ground for dismissal includes those enumerated in Rule VIII, Section 1 of this Implementing Rules and Regulations on Administrative and Disciplinary Action.

The Chief Marshal and Deputy Marshals may likewise be dismissed by a vote of no confidence of not less than ten (10) justices of the Supreme Court.

RULE VII

TRAINING AND EDUCATION

Section 1. Training and Education. – Marshals shall undergo continuous training and education to ensure that they maintain their capabilities and improve their skills, knowledge, and expertise in performing their mandates. Coterminous security personnel and security detail from other law enforcement agencies assigned to members of the Judiciary may be allowed to join short courses being offered by the Judiciary Marshals Academy, upon request of the member of the Judiciary concerned, and with the approval of the Supreme Court En Banc.

For such purpose, trainings shall be conducted at the Judiciary Marshals Academy and done by qualified and accredited instructors from a pool of experts within the Office of the Judiciary Marshals as well as from law enforcement agencies and other experts in law enforcement, whether in the public or private sector, local or abroad, such as but not limited to, the Philippine Military Academy, the Philippine National Police Academy, the Philippine Public Safety College, and other training institutions for law enforcement agents. The training shall include, but not be limited to, the following fields or operational/administrative areas:

(a)

Protective Service Training;

(b)

Legal Training;

(c)

Court Security;

(d)

Defensive Driving Courses;

(e)

Search and Seizure;

(f)

Firearms Proficiency;

(g)

Physical Conditioning;

(h)

Trauma and First Aid;

(i)

Prisoner Search and Restraint;

(j)

Information Technology;

(k)

High Threat Trials;

(1)

Surveillance;

(m)

Forensic Analysis and Investigation;

(n)

Evidence Gathering, Preservation, and Disposition;

(o)

Cybercrime investigation;

(p)

Case build-up and investigation;

(q)

Crisis management, including hostage-taking scenarios;

(r)

Intelligence gathering, handling, and sharing;

(s)

VIP Security Course;

(t)

Judiciary Marshal Basic Intelligence Course;

(u)

Judiciary Marshal Basic Investigation Course;

(v)

Electronic Surveillance Course;

(w)

Electronic Counter Measure (ECM) Course or Technical Surveillance Counter Measure (TSCM); and

(x)

Understanding Digital Forensics 101.

Officials and personnel of the Office of the Judiciary Marshals who undergo training and education provided by the Judiciary Marshals Academy shall be obligated to either complete a minimum number of years of return service or pay the monetary equivalent of the training and education they received in case they resign prior to fulfilling this obligation. For this purpose, the Chief Marshal shall determine the appropriate minimum number of years of return service to be rendered for each month or year of training and education received.

Section 2. Judiciary Marshals Academy. – The Judiciary Marshals Academy shall serve as a training school for marshals. It shall conduct seminars, workshops, short courses, and other training programs designed to upgrade the skills, knowledge, expertise, and capabilities of all the marshals in performing their mandates. It shall also perform such other functions and duties as may be necessary in carrying out its purpose under Republic Act No. 11691.

The Judiciary Marshals Academy shall be in Antipolo City, or in such other place or places as the Supreme Court may determine.

Section 3. Composition and Qualifications of Academy Officials. – The Judiciary Marshals Academy shall have executive officials composed of an Academy Superintendent, Assistant Academy Superintendent, and an Executive Director, to be appointed by the Supreme Court for a term of two (2) years and without prejudice to subsequent reappointments, which reappointment may not be more than three (3) terms.

Unless otherwise provided by the Supreme Court, the Academy Superintendent, Assistant Academy

Superintendent, and Executive Director shall preferably be a member of the Philippine Bar, must have held a rank of at least a Lieutenant Colonel in the AFP or the PNP, or Head Agent in the NBI, and must have had meritorious service as a teacher or professor in a reputable school.

Applicants for these positions may be appointed as Academy Superintendent, Assistant Academy Superintendent, and Executive Director despite not having been a Lieutenant Colonel of the AFP or the PNP, or a Head Agent in the NBI, if such applicant has a proven track record and adequate experience in investigation and law enforcement training and education.

The Academy Superintendent shall have a Salary Grade of 29.

The Assistant Academy Superintendent and Executive Director shall have a Salary Grade of 28 and 27, respectively.

During their term, the executive officials, of the academy shall not engage, in the private practice of their profession.

Section 4. Staff and Personnel. – The Judiciary Marshals Academy shall be staffed by a Corps of Instructors from law enforcement agencies and other training facilities who must have had meritorious service as a teacher or professor in a reputable school and recognized expertise in the field of investigation and law enforcement.

An instructor shall be nominated by at least two (2) of the members of the executive officials. The nomination shall be submitted to the Supreme Court for approval and formal accreditation for a term of two (2) years without prejudice to subsequent accreditation and reaccreditation.

The remuneration due to accredited professors of the Judiciary Marshals Academy shall be patterned after those being given to members of the Corps of Professors of the Philippine Judicial Academy. The Judiciary Marshals Academy may engage the services of a Corps of Instructors for a term of two (2) years, subject to renewal of their engagements.

Section 5. Recruitment, Selection, and Admission of Trainees. – The criteria for the recruitment, selection and admission of participants to the training programs of the Judiciary Marshals Academy shall be determined by the Academy Superintendent, endorsed by the Chief Marshal, and approved by the Court Administrator.

As soon as the Judiciary Marshals Academy is fully organized with the appointment of its executive officials and the composition of its Corps of Instructors, together with the other personnel, only participants who have completed the programs prescribed by the Judiciary Marshals Academy and have satisfactorily complied with all the requirements related thereto may be appointed or promoted to any marshal position or vacancy in the Office of the Judiciary Marshals.

RULE VIII

ADMINISTRATIVE AND DISCIPLINARY ACTION

Section 1. Administrative and Disciplinary Action. – Existing rules, codes, and procedures for the administrative discipline of personnel of the Supreme Court shall likewise govern administrative and disciplinary actions against officials and personnel of the Office of the Judiciary Marshals. These include civil service rules and regulations, the Code of Conduct for Court Personnel, the Rules of Court, and other issuances of the Supreme Court or the Office of the Court Administrator governing administrative and disciplinary actions against officers and employees in the judiciary.

RULE IX

BENEFITS AND PRIVILEGES

Section 1. Benefits and Privileges. – Officials and personnel of the Office of the Judiciary Marshals are entitled to the following benefits and privileges:

(a)

Trainings, scholarships, and seminars to deserving employees to upgrade their knowledge and skills, on official business, as may be allowed by the Chief Marshal and endorsed by the Court Administrator, subject to the approval of the Supreme Court;

(b)

Hazard pay, subject to pertinent laws, rules, and regulations, which may be patterned, to those extended to military, police, and uniformed personnel;

(c)

Retirement benefits as may be provided by existing or pertinent laws;

(d)

Disability and death benefits in the performance of official duties, subject to existing laws, rules, and regulations; and

(e)

Such other benefits and privileges that may be approved by the Supreme Court.

RULE X

APPROPRIATIONS FOR THE OFFICE OF THE JUDICIARY MARSHALS AND THE JUDICIARY MARSHALS ACADEMY

Section 1. Annual Budget. – The amount necessary to carry out the purposes of Republic Act No. 11691, including the operation, maintenance, and improvement of the Office of the Judiciary Marshals and the Judiciary Marshals Academy shall be included in the General Appropriations Act for 2025 and every year thereafter.

A separate budget shall be proposed before Congress each year, to serve as the source of regular funding for the operation, maintenance, and improvement and special projects, as may be deemed necessary, of the Office of the Judiciary Marshals, and the Judiciary Marshals Academy.

RULE XI

FINAL PROVISIONS

Section 1. Amendment or Revisions. – The Supreme Court may amend, revise, or supplement this IRR, including the review and revision of the organizational structure and staffing pattern of the Office of the Judiciary Marshals, and issue related guidelines, circulars, and other issuances for the effective implementation of Republic Act. No. 11691, after consultation with affected stakeholders.

The structure of the existing security divisions and coterminous security personnel shall remain unchanged until such time as the Supreme Court directs otherwise.

Section 2. Transitory Provision. – The incumbent security staff and personnel employed by the Supreme Court and other courts shall be given preference in the recruitment of marshals of the Office of the Judiciary Marshals. Nonetheless, such incumbent security staff and personnel must undergo and pass the required training, selection, and admission process in accordance with Rule VII, Section 5, in order to be qualified for absorption as personnel of the Office of the Judiciary Marshals, subject to the Constitutional right to security of tenure.

Section 3. Separability Clause. – Should any provision of this IRR be subsequently declared by the Court as invalid, void, or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

Section 4. Effectivity. This IRR shall take effect after 15 days following its publication in the Official Gazette, or in two newspapers of general circulation.

August 20, 2024.

(Sgd.) ALEXANDER G. GESMUNDO
Chief Justice

(Sgd.) MARVIC M. V. F. LEONEN
Senior Associate Justice

(Sgd.) ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

(Sgd.) RAMON PAUL L. HERNANDO
Associate Justice

(Sgd.) AMY C. LAZARO-JAVIER
Associate Justice

(Sgd.) HENRI JEAN PAUL B. INTING
Associate Justice

(Sgd.) RODIL V. ZALAMEDA
Associate Justice

(Sgd.) MARIO V. LOPEZ
Associate Justice

(Sgd.) SAMUEL H. GAERLAN
Associate Justice

(Sgd.) RICARDO R. ROSARIO
Associate Justice

(Sgd.) JHOSEP Y. LOPEZ

Associate Justice

(Sgd.) JAPAR B. DIMAAMPAO

Associate Justice

(Sgd.) JOSE MIDAS P. MARQUEZ

Associate Justice

(Sgd.) ANTONIO T. KHO, JR.

Associate Justice

(Sgd.) MARIA FILOMENA D. SINGH

Associate Justice

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