

SC CIRCULAR NO. 5, April 07, 1987

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ADMINISTRATIVE SUPERVISION OF COURTS

TO :

REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT:

Special Rules in Criminal Proceedings involving Youthful Offenders

The 1987 Constitution affirms the duty of the State to promote and protect the physical, moral, spiritual, intellectual and social well-being of the youth. (Sec. 13, Art. II, 1987 Constitution). It has long been recognized that youthful offenders should be afforded special treatment in our judicial system. To attain this objective, the following special rules are established:

- In every station of a/multiple-sala/trial court, except the Regional Trial Courts stationed in the National Capital Judicial Region where designations were already extended in Adm. Order No. 35, Series of 1986, of this Court, cases involving youthful offenders shall be assigned exclusively to one or more branches designated by the Supreme Court. The judges thereof shall take cognizance of these cases in addition to their regular duties. This rule does not apply to those cases whose trial had already been commenced which shall remain with the branches where they were assigned prior to the effective date of this Circular.
- Every trial judge handling these cases shall endeavor to assign specific days for the trial thereof to the exclusion of criminal cases filed against adult offenders.
- Trial judges should secure the assistance of the proper social welfare official in the area, including that of the local officer of the Department of Social Welfare and Development, and other private agencies devoted to the case and rehabilitation of such offenders.
- Strict compliance with the provisions of the Child and Youth Welfare Code is herewith enjoined, specially the provisions of Article 191 thereof on the detention of youthful offenders.
- Executive Judges conducting inspections of provincial or city jails and other detention centers should take particular attention to the treatment of youthful offenders therein, confirmed, to determine whether there is compliance with the Child and Youth Welfare Code.
- In all cases, the trial judges should so conduct their proceeding in a manner that would not traumatize and youthful offenders, and insure respect and protection for their human dignity.

For the purpose of implementing paragraph (1) hereof, the proper Regional Trial Court Executive Judges are hereby DIRECTED to submit within ten (10) days from receipt of a copy of this Circular their recommendations on the branch or branches to be designated.

This Circular shall take effect immediately.

April 7, 1987.

(Sgd.) CLAUDIO TEEHANKEE

Chief Justice

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