

REQUIRING AN EXPEDITIOUS DISPOSITION OF CRIMINAL CASES INVOLVING TOURISTS

SC ADMINISTRATIVE CIRCULAR NO. 58-2002, November 14, 2002

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WHEREAS, the Constitution mandates a speedy disposition of cases of all persons before judicial bodies.

WHEREAS, the said mandate finds meaning and importance in cases involving tourists whose stay in the country is temporary or for a short time only.

WHEREAS, the expedition disposition of cases involving tourists has historical support in General Order No. 39 dated 19 September 1973 enjoining courts to dispose of such cases "within 24 hours after the filing thereof by the arresting officers";

WHEREAS, among the measures towards the speedy disposition of cases that this Court, in the exercise of its constitutional power of administrative supervision over all courts, has adopted are (a) the reopening/ revival of night courts in the Metropolitan Trial Court of Manila "to try and decide all special cases enumerated in the Rule on Summary Procedure" under Administrative Order no. 72 dated 30 June 1998; and (b) the opening of two branches of the Metropolitan Trial Court of Quezon City as night courts that shall be assigned "cases involving nighttime apprehensions" and "special cases enumerated in the Rule on Summary Procedure" under the Resolution of 2 October 1990 in A.M. No. 90-9-1437-MeTC (Re: Request for the Opening of Two[2] Branches of the Metropolitan Trial Court to Conduct Night Sessions);

WHEREAS, for the expeditious and efficient disposition of cases, Administrative Circular No. 2-99 dated 15 January 1999 requires (1) judges, assisted by a skeletal force of personnel, to be on duty, on rotation basis, from 8:00 a.m. to 1:00 p.m. on Saturday's to act on petitions for bail and other urgent matters, as well as to act on bailable offenses on Saturday afternoons, Sundays and non-working holidays; and (2) court offices and units that deal directly with the public to provide for a skeletal force of personnel from 8:00 a.m. to 12:00 noon and 12:30 to 4:30 p.m. on Saturdays.

NOW, THEREFORE, pursuant to the Resolution of 10 September 2002 in A.M. No. 02-8-12-SC (Re: In the Matter of the Creation of Night Courts or Special Tourist Courts Exclusively to Attend to Tourist-Related Crimes), it is hereby directed that

1. Criminal cases where the offended party or complainant is a tourist or transient in this country shall be given priority in disposition in accordance with the pertinent provisions of the Revised Rules on Criminal Procedure are decided within twenty-four(24) hours from the date of filing in court;
2. All Executive Judges are directed to inform the Philippine National Police (PNP) and the Prosecutor's Office of the provisions of Administrative Circular No. 2-99 dated 15 January 1999, specifically the assignment of judges on duty every Saturday and the court's duty to act on bailable offenses on Saturday afternoons, Sundays and non-working holiday;s and
3. The Executive Judges of the Regional Trial Courts of Manila and Quezon City shall (a) inform the PNP and the

Prosecutor's Office within their jurisdiction of the schedule of the branches of the first level courts assigned to hold night sessions; and (b) make representations with the PNP and local government units to ensure that appropriate security measures are adopted to protect judges and their staff on night sessions.

The Office of the Court Administrator shall see to it that this administrative Circular is strictly complied with.

This Administrative Circular shall take effect on the 1st day of December 2002 after its publication in a newspaper of general circulation in the Philippines.

Issued this 14th day of November 2002.

(Sgd.) HILARIO G. DAVIDE, JR.

Chief Justice

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