

OCA CIRCULAR NO. 03-2010, January 12, 2010

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TO :

ALL JUDGES OF THE FIRST AND SECOND LEVEL COURT

SUBJECT:

SUSPENSION ON THE CONDUCT OF JAIL VISITATION AND INSPECTION

In the Resolution of the Court dated October 14, 2008, in Administrative Matter No. 07-3-02-SC (Re: Guidelines On The Jail Visitation and Inspection) Section 2, thereof, specifically enjoins the presiding judges and executive judges, accompanied by their staff members shall conduct personally once a month the jail visitation and inspection. Subsequently, however, the Court in Its En Bane Resolution dated November 17, 2009 in A.M. No. 09-10-400-RTC (Re: Request of Judges for the Suspension of the Enforcement of Jail Visitation and Inspection in Accordance with A.M. No. 07-3-02-SC) RESOLVED, upon the recommendation of the Office of the Court Administrator, to:

"(a) NOTE the Letter dated February 16, 2009 of Judges Fe Lualhati D. Bustamante, Teresita A. Calanida, Gerardo A. Paguio, Jr., Rosendo B. Bandal, Jr., Roderick A. Maxino, Jesus B. Tinagan, Cesar Manuel U. Cadiz, Jr., Noel P. Catacutan, Arlene Catherine A. Dato, Marie Rose I. Paras, Antonio T. Estoconing and Cenon Voltaire B. Repollo, of the first and second level courts of Dumaguete City, requesting for the suspension of the enforcement of A.M. No. 07-3-02-SC dated October 14, 2008, requiring judges to conduct a monthly jail visitation; Letter dated March 30, 2009, of Judge

Antonio M. Eugenio, Jr., President of the Philippine Judges Association, expressing insights and concerns on some provisions of A.M. No. 07-3-02-SC dated October 14, 2008 on jail visitation, which needs re-examination; xxxx xxxx xxxx;

(b) AUTHORIZE the Court Administrator to RECONSTITUTE the Committee on Lower Court Reportorial Requirements to re-examine, for possible modifications, the Guidelines on Jail Visitation and Inspections, and to submit a REPORT and RECOMMENDATION thereon within thirty (30) days from its initial meeting; and

(c) SUSPEND the conduct of jail visitation and inspection pending the results of the re-examination of the provisions of A.M. No. 07-3-02-SC. However, in lieu of actual jail visitation and inspection, the jail warden may be required to submit to the court a monthly report containing the data or information required to be gathered by Section 3 and 4 of the Guidelines; and the physical and mental health, safety, and well-being of the prisoner may be determined by asking the accused and their lawyers during the trial of the case " (Emphasis underlined)

For your information and strict compliance on the matter.

January 12, 2010

(SGD.)NIMFA C. VILCHES

Deputy Court Administrator and
Officer-in-Charge
Office of the Court Administrator

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