

H. No. 9086
S. No. 1947

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand twenty-one.

[REPUBLIC ACT NO. **11691**]

AN ACT CREATING THE OFFICE OF THE JUDICIARY MARSHALS, DEFINING ITS POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Judiciary Marshals Act”.

SEC. 2. *Declaration of Policy.* – 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.

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, thereby securing the performance of its constitutionally-mandated duty to administer justice in accordance with the laws of the land.

SEC. 3. *Creation of the Office of the Judiciary Marshals.* – There is hereby created the Office of the Judiciary Marshals under the control and supervision of the Supreme Court, through the Office of the Court Administrator. The Office of the Judiciary Marshals shall 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 its proceedings.

SEC. 4. *Powers, Functions, and Responsibilities.* – The Office of the Judiciary Marshals shall have the following powers, functions, and responsibilities:

(a) Protect, defend, safeguard, watch over, provide security for, and ensure the safety of, justices, judges, court officials and personnel, including their families, and halls of justice, courthouses, court buildings, and other court properties;

(b) Conduct threat assessments and undertake investigations and forensic analysis, in coordination with other law enforcement agencies, of crimes and other offenses committed against, including potential actionable security threats to, justices, judges, court officials and personnel, halls of justice, courthouses, court buildings, and other court properties, as directed by the Supreme Court, the Chief Justice, or the Court Administrator. This shall include coordinating with other law enforcement agencies to maximize the collection and sharing of intelligence information for purposes of identifying threats;

(c) Ensure that court proceedings, trials and hearings, including judicial conferences, seminars and meetings, are

conducted in a safe, secure, and orderly manner in accordance with existing rules, guidelines, and practice;

(d) Conduct investigations, as directed by the Supreme Court, the Chief Justice, or the Court Administrator and in coordination with other law enforcement agencies, concerning allegations of irregularities, including graft and corruption, committed by justices, judges, court officials and personnel;

(e) Assist in the execution and implementation of all lawful writs, processes, and orders;

(f) Assist in the protection of witnesses and in the security in the transportation of the accused or witnesses necessary for the continuation of court proceedings, as may be directed by courts of competent jurisdiction;

(g) Assist in the management and disposal of assets seized, frozen or forfeited by courts, and deposit public money collected to the National Treasury, in accordance with the lawful order of the court;

(h) As directed by the Supreme Court, the Chief Justice, or the Court Administrator, issue subpoenas for the appearance of any person for investigation, apply for search warrants before any court of law, and file complaints before the Office of the Ombudsman, the Department of Justice, or city or provincial prosecutors;

(i) Take and require sworn statements from any person so summoned in relation to cases under investigation, in accordance with the Constitution, existing laws, jurisprudence and rules, as directed by the Supreme Court, the Chief Justice, the Court Administrator, or appropriate courts of law;

(j) Administer the oath of any person in relation to cases under investigation, as directed by the Supreme Court, the Chief Justice, the Court Administrator, or appropriate courts of law;

(k) Make arrests and conduct searches and seizures in relation to the functions of the Office of the Judiciary Marshals, and in accordance with the Constitution, existing laws, jurisprudence and rules.

For this purpose, any member of the Office of the Judiciary Marshals may make arrests when in his or her presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense; or when an offense has just been committed, and he or she has probable cause to believe, based on personal knowledge of facts or circumstances, that the person to be arrested has committed it; or when the person to be arrested is a prisoner who has escaped from a penal establishment or place while serving final judgment or is temporarily confined while his or her case is pending, or has escaped when being transferred from one (1) confinement to another;

(l) Have access over all public records under the custody of any government branch, institution, agency or instrumentality, and upon proper request made to private telecommunications companies, the records of any individual under investigation which shall be treated with utmost confidentiality and only for purposes of the case or cases under investigation, as directed by the Supreme Court, the Chief Justice, the Court Administrator, or appropriate courts of law;

(m) Possess suitable and adequate firearms for their personal safety and protection in connection with their duties and responsibilities, and for the proper safety and protection of the justices, judges, court officials and personnel, including their families, and halls of justice, courthouses, and other court properties.

For this purpose, the Chief Marshal is hereby authorized to issue permits to carry duly licensed firearms outside of residence to officials and personnel of the Office of the Judiciary Marshals;

(n) Issue Mission Orders and Memorandum Receipts for the purpose of providing personnel with firearms, ammunition, and other equipment;

(o) Request assistance from and coordinate with the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), National Bureau of Investigation (NBI), and other law enforcement agencies in connection with the performance of the functions and duties of the Office of the Judiciary Marshals, notwithstanding the latter's concurrent jurisdiction with other law enforcement agencies to investigate crimes and other offenses committed against justices, judges, court officials and personnel, halls of justice, courthouses, and other court properties;

(p) Establish a Judiciary Marshals Academy which shall be responsible for the recruitment, training, and development of Judiciary Marshals and personnel, among others; and

(q) Perform such other related functions as the Supreme Court, the Chief Justice, or the Court Administrator may order, direct or instruct from time to time.

SEC. 5. *Jurisdiction.* – The Office of the Judiciary Marshals shall have concurrent jurisdiction with other law enforcement agencies to undertake investigations of crimes and other offenses committed against justices, judges, court officials and personnel, halls of justice, courthouses, and other court properties.

SEC. 6. *Officials and their Assignments.* – 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.

SEC. 7. *Qualifications and Appointment of the Chief Marshal.* – The Chief Marshal shall be appointed by the Supreme Court *en banc* and shall have a Salary Grade of 30. Any person appointed as Chief Marshal must be a natural-born citizen of the Philippines, preferably a member of the Philippine

Bar and must have held the rank of at least a full Colonel in the AFP or the PNP, or an Assistant Director in the NBI, with experience in investigation in all instances: *Provided*, That a Chief Marshal may be appointed despite not having been a full Colonel of the AFP or the PNP, or an Assistant Director of the NBI, if he or she has a proven track record and adequate experience in investigation and law enforcement.

SEC. 8. *Qualifications and Appointment of the Deputy Marshals.* – The Deputy Marshals shall be appointed by the Supreme Court *en banc* and shall have the Salary Grade of 29. They must be natural-born citizens of the Philippines and must have held the rank of at least a full Colonel of the AFP or the PNP, or an Assistant Regional Director of the NBI, with experience in investigation in all instances: *Provided*, That a Deputy Marshal may be appointed despite not being a full Colonel of the AFP or the PNP, or an Assistant Regional Director of the NBI, if he or she has a proven track record and adequate experience in investigation and law enforcement.

SEC. 9. *Qualifications, Composition and Size of Personnel.* – The qualifications, composition and size of personnel of the Office of the Judiciary Marshals shall be determined by the Supreme Court which may create such offices, divisions and units under it as it may deem necessary. For this purpose, the Supreme Court is authorized to adopt and implement the corresponding staffing pattern for the Office of the Judiciary Marshals. The positions, titles, and salaries of its officials and personnel shall be in accordance with Republic Act No. 11466, otherwise known as the “Salary Standardization Law of 2019”. All officials and personnel appointed under this Act shall belong to the classified service and shall be governed by the Civil Service Law, except those whose positions are highly technical or primarily confidential. The organizational structure and staffing pattern shall be submitted to the Department of Budget and Management (DBM) for review and/or approval.

SEC. 10. *Tenure and Retirement.* – The Chief Marshal, Deputy Marshals, 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 the duties of their office, or are dismissed or relieved for just cause by a vote of not less than eight (8) justices of the Supreme Court.

SEC. 11. *Training and Education.* – Judiciary Marshals shall undergo continuous training and education to ensure that they maintain and improve their skills, knowledge, and capabilities in performing their mandate.

SEC. 12. *Administrative and Disciplinary Action.* – Existing rules, codes, and procedure 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.

SEC. 13. *Benefits and Privileges.* – The Office of the Judiciary Marshals shall provide its officials and personnel the following benefits and privileges:

(a) Trainings, scholarships, and seminars to deserving employees to upgrade their knowledge and skills, on official time and at the expense of the Office, and pursuant to its implementing rules and regulations;

(b) Hazard pay, subject to pertinent laws, rules and regulations; and

(c) Retirement benefits as may be provided by existing or pertinent laws.

The Office of the Judiciary Marshals shall likewise bear the costs for all fees required in relation to Section 4(m) of this Act.

SEC. 14. *Appropriations.* – For purposes of this Act, there is hereby appropriated the initial sum of Fifty million pesos (P50,000,000.00) for the salaries, wages and other expenses of personnel, the purchase of necessary supplies, materials and equipment, and for other

purposes. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

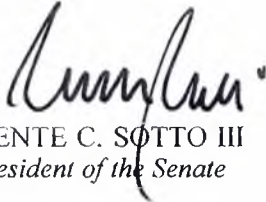
SEC. 15. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Supreme Court shall promulgate such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 16. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

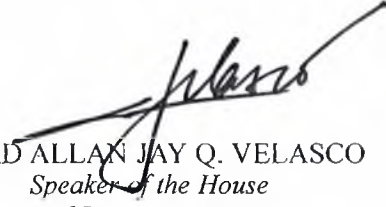
SEC. 17. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof which are contrary to or inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,



VICENTE C. SOTTO III
President of the Senate

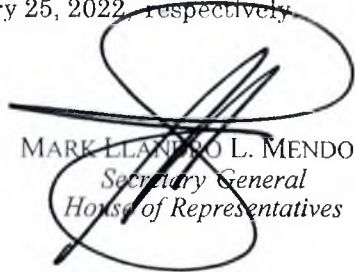


LORD ALLAN JAY Q. VELASCO
*Speaker of the House
of Representatives*

This Act which is a consolidation of House Bill No. 9086 and Senate Bill No. 1947 was passed by the House of Representatives and the Senate of the Philippines on January 31, 2022 and January 25, 2022, respectively.



MYRA MARIE D. VILLARICA
Secretary of the Senate



MARK LLANERO L. MENDOZA
*Secretary General
House of Representatives*

Approved: APR 08 2022



RODRIGO ROA DUTERTE
President of the Philippines

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