



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 170-2006

**TO: ALL EXECUTIVE JUDGES OF MULTIPLE-SALA STATIONS
1ST AND 2ND LEVEL COURTS IN PANGASINAN**

**SUBJECT: REITERATION OF SECTIONS 2 AND 3, CHAPTER X OF THE
GUIDELINES ON THE SELECTION AND APPOINTMENT OF
EXECUTIVE JUDGES AND DEFINING THEIR POWERS,
PREROGATIVES AND DUTIES**

It has come to the attention of this Office that there are judges who do not regularly conduct monthly jail visitation and inspection in Pangasinan. This resulted to, among others, the non-discovery of incidents where the return of the service of warrant of arrest did not reach the court, as a consequence of which the case was not set for arraignment and trial while the accused is languishing in jail.

In view thereof, Sections 2 and 3, Chapter X of the Guidelines on the Selection and Appointment of Executive Judges and Defining their Powers, Prerogatives and Duties (*A.M. No. 03-8-02-SC dated January 27, 2004*) is hereby reiterated. Thus:

"SEC. 2. *Visitation and inspection of local jails and prisoners.* - (a) Executive Judges shall undertake monthly visits to and inspection of provincial, city and municipal jails and/or detention centers as well as their prisoners as required by the provisions of existing applicable laws, rules and regulations. They shall inquire into the prisoners' proper accommodations and health, and examine the condition of the jail facilities. They shall order the segregation of sexes and of minors from adults, ensure the observance of the right of detainees to confer privately with counsel, and strive to eliminate conditions inimical to the detainees.

(b) The Executive Judge conducting inspections of provincial, city and municipal jails and/or detention centers shall give particular attention to the treatment of minors in conflict with the law confined therein to determine compliance by such jails/detention centers with the provisions of the Child and Youth Welfare Code and with issuances of the Supreme Court.

(c) Executive Judges shall visit and inspect, and ensure that presiding judges of the first and second level courts under their supervision shall also visit and inspect, at least once a month, detention prisoners whose cases are pending before their respective courts. They shall give special attention to the following conditions of these detainees:

- (1) the number of detainees in the jail with cases pending before their respective courts;

- (2) the condition of detention cells of such detainees including but not limited to provisions for the segregation of sexes and of minors from adults detainees or prisoners;
- (3) the observance of the right of the accused and counsel to conduct private interviews;
- (4) the prevention of harassment of lawyers, who are required to be photographed and fingerprinted during such interviews; and
- (5) the deterrence of practices disadvantageous to the subject detention prisoners.

Executive Judges shall ensure the submission by the Presiding Judges of their monthly reports of their jail visitation to the Court Administrator.

SEC. 3. *Inventory Report on detention prisoners.* - (a) Executive Judges shall see to the submission, on a quarterly basis, by the judges of the courts within their respective areas of administrative supervision of periodic reports on detention prisoners to the Office of the Court Administrator. These reports shall be coursed by the judges through their respective Executive Judges. Executive Judges shall attest to the veracity of the data entered in these reports.

(b) Executive Judges shall seek the assistance of (1) the Department of the Interior and Local Government (DILG), which has jurisdiction over the Bureau of Jail Management and Penology; and (2) the local government concerned, in requiring the jail warden to submit a regular inventory report of detained prisoners, preferably by branch, to all Executive Judges who have jurisdiction over the accused.

(c) Executive Judges shall consolidate the reports on detention prisoners submitted by the courts within his area of administrative supervision and by the jail wardens with his report on monthly jail visitation. Thereafter, all reports shall be submitted to the Office of the Court Administrator through the Court Management Office at the end of every quarter."

For strict compliance.

December 12, 2006


CHRISTOPHER O. LOCK
Court Administrator