



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

OCA CIRCULAR NO. 166 - 2020

TO: ALL COURT USERS, JUDGES OF THE FIRST AND SECOND LEVEL COURTS, AND MEMBERS OF THE BAR

RE: PUBLIC ACCESS TO VIDEOCONFERENCING HEARINGS

Considering that all first and second level courts have been authorized to conduct videoconferencing hearings in all matters pending before them, in both criminal and civil cases, whether newly filed or pending, regardless of the stage of trial,¹ in accordance with existing circulars and guidelines, some 106,666 videoconferencing hearings have been conducted nationwide from 4 May 2020 to 2 October 2020, with an average success rate of 88.50%.

To further comply with the constitutional right of the accused to a public trial,² and to resemble or mirror more, as far as practicable, the in-court proceedings, all videoconferencing hearings conducted by first and second level courts may be accessible to the public. Any individual who wishes to attend a videoconferencing hearing shall email the concerned court at least three (3) days before the scheduled hearing through its official Philippine Judiciary Office 365 email address³ and provide the following information:

- a. Full name;
- b. Email address;
- c. Contact number; and
- d. Scanned copy of a government-issued ID bearing his/her photograph and signature.

¹ OCA Circular No. 161-2020, dated 24 September 2020.

² CONSTITUTION, Art. III, Sec. 14, par. (2).

³ May be viewed at <http://sc.judiciary.gov.ph/hotlines/>

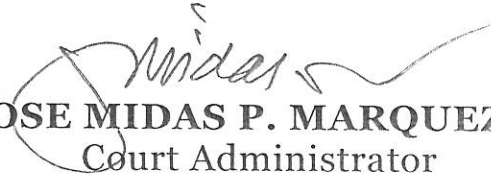
The court shall have the discretion to refuse access if it finds that the information given is erroneous or fictitious. Likewise, the court, in its discretion, may exclude the public "when the evidence to be adduced is of such nature as to require their exclusion in the interest of morality or decency," pursuant to Sec. 2, Rule 135, the Rules of Court, or when a child will testify, as provided in Sec. 23, A.M. No. 00-4-07-SC (*Rule on Examination of a Child Witness*). The court, in the exercise of its inherent power to "protect and preserve (its) dignity, the solemnity of the proceedings thereon,"⁴ may also immediately order a person's removal from the videoconferencing hearing.

The public is reminded that videoconferencing hearings are official court proceedings. Hence, a person may be held liable for direct contempt under Sec. 1, Rule 71, the Rules of Court, for any "misbehavior" as to "obstruct or interrupt" the videoconferencing hearings, including the unauthorized recording of the proceedings as provided in OCA Circular No. 93-2020.

Proper court decorum shall likewise be observed at all times and all those participating therein shall be in appropriate attire.

For the guidance and compliance of all concerned.

9 October 2020


JOSE MIDAS P. MARQUEZ
Court Administrator

⁴*De Guia v. Guerrero, Jr.*, 234 SCRA 625 (1994).