



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

OCA CIRCULAR NO. 43-2022

TO: ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT: CONDUCT OF VIDEOCONFRENCING HEARINGS IN COURT, FROM HOME OR IN OTHER LOCATIONS IN AREAS UNDER ALERT LEVELS 1 AND 2

With prior clearance from Chief Justice Alexander G. Gesmundo, and in connection with the conduct of videoconferencing hearings by trial courts from 1 March 2022, until further orders of the Court, as an alternative mode to in-court proceedings in appropriate instances in areas under Alert Levels 1 and 2 as provided in OCA Circular No. 41-2022 dated 28 February 2022, the following shall be observed for such hearings inside the courtroom or, if allowed, outside of the court, the latter either from the home of the Judge or in places within or outside of his/her court's jurisdiction:

1) When the videoconferencing hearing is done inside the courtroom by the Judge, and unless otherwise required by the latter, the parties, lawyers and witnesses may or may not be personally in attendance and may opt to appear while in locations outside of the court.

2) When the Judge, based on compelling reasons, has to conduct a videoconferencing hearing from home, he/she can do so by merely giving **notice** to the Office of the Court Administrator¹ (OCA) prior to the scheduled date thereof, provided that his/her home is in an area within the jurisdiction of his/her court and, provided further, that such hearing from home shall be limited to two (2) hearing dates in a week.

Also, every time the Judge is done with his/her said hearing, he/she shall proceed to the court to attend to other matters or concerns that require his/her physical presence.

3) When the Judge, under exceptional circumstances, has to conduct a videoconferencing hearing from home or in another location which is in an area outside of his/her court's jurisdiction, but within the judicial region, then the said Judge must seek prior clearance or permission from the OCA for the same at least two (2) days from the scheduled hearing/s.

¹ Through the concerned Deputy Court Administrator or Assistant Court Administrator who directly supervises the court or station

4) No videoconferencing hearing may be conducted by a Judge in a location outside of his/her court's judicial region², unless authorized by the Court or the OCA in further pursuit of the efficient administration of justice.

In any of the above instances, the following will commonly apply:

1) All notices given to or clearances/permissions obtained by the concerned Judge from the OCA should be furnished the Executive Judge or, in case the latter is involved, the clerk of court.

2) If required by the judge, in-court attendance will be limited to the parties, lawyers and witnesses.

3) As to the staff scheduled to assist or be present for the videoconferencing hearing, those on-duty may be in court or they may attend the same remotely if scheduled to work from home on that day.

4) A longer period for the conduct of videoconferencing hearings from home or in another location as allowed herein is subject to the determination by the OCA on the urgency or utmost necessity thereof.

5) In the conduct of in-court or face-to-face hearings, all health and safety protocols against COVID-19 prescribed by the Court and the OCA, as well as those required by the IATF and the Department of Health, shall be complied with.

Accordingly, all other issuances of the Court or the OCA on videoconferencing hearings, whether in court or remotely, that are not consistent herewith will no longer be applicable to the courts in areas under either Alert Level 1 or 2. Without prejudice to the submission of a new request for a clearance or permission in accordance with the provisions of this circular, previous clearances or permissions from the OCA granted to Judges on the conduct of remote videoconferencing hearings are deemed recalled or set aside,

Any concern on videoconferencing hearings that Judges may have shall be referred to the OCA for appropriate action.

For the guidance and strict compliance of all concerned.

1 March 2022



RAUL BAUTISTA VILLANUEVA
Deputy Court Administrator
and OCA Officer-in-Charge

(Per Memorandum Order No. 108-2021 dated 17 November 2021)

² Previously allowed per OCA Circular No. 67-2021 dated 31 May 2021