



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

**OCA CIRCULAR NO. 01-2024**

**TO :** ALL FIRST AND SECOND LEVEL COURTS

**SUBJECT:** FURTHER AMENDMENTS TO SECTIONS 1 TO 6 OF THE NEW GUIDELINES ON JAIL VISITATION AND INSPECTION

In its Resolution dated 14 November 2023 in **A.M. No. 07-03-02-SC** (*Re: Committee [o]n Lower Court Reportorial Requirements*) and **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. 07-03-02-SC*), the Court *en banc* resolved to **FURTHER AMEND** Sections 1 to 6 of A.M. No. 07-03-02-SC or the *New Guidelines on Jail Visitation and Inspection*, such that jail visitation and inspection be conducted not only by the Executive Judges of all first- and second-level courts and Regional Trial Court judges of single *sala* stations, but also by the Presiding Judges from all multi-*sala* first- and second-level courts, and Presiding Judges of single *sala* stations, with their corresponding duties and responsibilities on the submission of the required reports, as follows:

**New Guidelines on Jail Visitation and Inspection**  
(A.M. No. 07-03-02-SC)

**Section 1. *Who Shall Conduct Jail Visitation and Inspection.*** – The Executive Judges of all first and second level courts and **the Presiding Judges from all multi-*sala* first and second level courts, including the Presiding Judges of single *sala* stations**, accompanied by not more than two of their staff members, shall personally conduct visitation and inspection of the provincial or city jails as well as other youth detention homes and youth rehabilitation centers **in the case of Family Court judges or those handling cases involving minors**, within their respective jurisdictions on a quarterly basis.

This shall also apply to Acting Executive Judges, **Acting Presiding Judges and Assisting Judges from all multi-*sala* first and second level courts, including Acting Presiding Judges and Assisting Judges of single *sala* stations.**

**Section 2. *Duties and Responsibilities of the Presiding Judges, Executive Judges, and Regional Trial Court (RTC) Judges of Single Sala Stations; Reports to be submitted.*** – **Five calendar days after the visit**, the concerned Judges shall be required to submit to their respective Executive Judges a [R]eport (***Form 1 – Court Jail Visitation and Inspection Report***) on the total number of detainees whose cases are pending in their **respective salas**, which shall

include the following information: name and age of the detention prisoner, case number, crime charged, first day of detention, duration of detention, and status of the case, **together with the profile of the jail visited, which shall include the following: name of the jail/detention center/youth detention home/youth rehabilitation center visited, date of visit, and specific observations and action/s taken on matters of the scheduled visit, for COLLATION and final CONSOLIDATION.**

The **concerned Judges** shall also require the Bureau of Jail Management and Penology (BJMP) or the Provincial or City Wardens, and heads of youth detention homes and youth rehabilitation centers **in the case of Family Court judges or those handling cases involving minors**, to submit to their office a quarterly report on the status of the detention prisoners or accused under detention and children in conflict with the law whose cases are pending before the courts within their administrative area, preferably by branch.

The Executive Judges/ **Acting Executive Judges** and Judges/ **Acting Presiding Judges** of single *sala* RTC stations shall submit a **Consolidated Jail Visitation and Inspection Report (Form 2)** every quarter, to the Court Management Office, OCA, not later than fifteen (15) calendar days following the last day of every quarter.

The Report (*Form 2*) shall include the following information:

- (a) Name and age of the detention prisoner, case number, crime charged, start of the date of detention, duration of detention, status of the case (arraignment, pre-trial, reception of prosecution evidence or reception of defense evidence, submitted for decision); and
- (b) Health condition of the adult prisoners and **children in conflict with the law** as submitted by the BJMP/provincial or city jail/youth detention homes/youth rehabilitation centers medical staff during the jail visitation and inspection.

As to the prisoner/s who is/are placed under detention equivalent to or beyond the maximum period of the impossible penalty, the concerned Executive Judge and RTC Judge of a single *sala* station is required to immediately act on the case or to advise the concerned presiding judge/s to immediately act on the case involving said detention prisoner/s pursuant to the provisions of Article 29, last paragraph, of the Revised Penal Code. With respect to children in conflict with the law, the provisions of Article 53 of A.M. No. 02-1-18-SC (Rule on Juveniles in Conflict With the Law)<sup>1</sup>, shall equally apply. Failure on the part of the concerned presiding judge to comply therewith may subject him/her to administrative sanctions. In such case, the concerned Executive Judge and RTC Judge of a single *sala* station shall immediately cause the release from detention of the subject prisoner or children in conflict with the law pursuant to the abovementioned Articles.

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<sup>1</sup> Effective on December 1, 2009 pursuant to the *En Banc* Resolution dated November 24, 2009.

In case the RTC Judge of a single *sala* station is indisposed, or on official leave of absence, or cannot otherwise discharge his/her duties, the Executive Judge of the nearest RTC multiple *sala* station, or in the absence of the said Executive Judge, the Vice-Executive Judge thereof shall perform the duties in his/her stead. For this purpose, the Clerk of Court or Officer-in-Charge of the indisposed Judge shall inform the concerned Judge of such absence.

**Section 3. Report to the Office of the Court Administrator.** – In the event that the concerned [P]residing [J]udge fails to **perform his/her functions as above** mentioned, the **Executive Judge/Acting Executive Judge or the RTC Judge/ Acting Presiding Judge of a single sala station** shall submit a report to the Office of the Court Administrator within 10 calendar days from said non-compliance, which may warrant administrative sanction/s to be imposed by the Supreme Court.

An Executive Judge and the RTC Judge of a single *sala* station who fails to perform his/her functions as defined herein shall likewise be subjected to administrative sanctions by the Supreme Court.

**Section 4. Reimbursement of Transportation Expenses.** – The **enumerated Judges in Section 1 hereof** shall be entitled to reimbursement of transportation/gasoline expenses in the event that the BJMP/provincial or city jail/detention home/rehabilitation center is more than thirty (30) kilometers away from his/her station, subject to existing guidelines on reimbursement of such expenses.

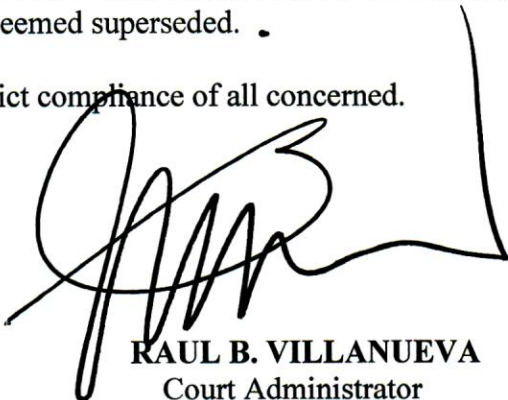
**Section 5. Security Detail during Jail Visitation and Inspection.** – Where the jail and/or detention facility has detainees who are considered/classified as security risks, the concerned **Judge** may request for security detail during the conduct of the jail visitation and inspection.

**Section 6. Dialogue with Detention Prisoners.** – During the jail visitation and inspection, the **concerned Judges** are encouraged to invite heads of the provincial or city prosecution office and Public Attorney's Office, or their representatives, for a dialogue with detention prisoners which may be conducted thereat. (*Amendments in bold*)

Any prior circular from the Office of the Court Administrator on this matter which is contrary to the foregoing is hereby deemed superseded. .

For the information, guidance, and strict compliance of all concerned.

03 January 2024



**RAUL B. VILLANUEVA**  
Court Administrator

*Jail Visitation & Inspection (Form 1)*

**COURT JAIL VISITATION AND INSPECTION REPORT**

Period Covered: Quarter \_\_\_\_\_ Year \_\_\_\_\_

PRESIDING JUDGE: \_\_\_\_\_

COURT STATION: \_\_\_\_\_

<b>I. NUMBER OF DETAINEES</b>	<b>MALE</b>	<b>FEMALE</b>
Number of Adults		
Number of Children in Conflict with the Law		
<b>TOTAL</b>		

<b>II. PROFILE OF ADULT PRISONER/DETAINEES AND/OR CHILDREN IN CONFLICT WITH THE LAW</b>					
<b>Name</b>	<b>Case No.</b>	<b>Crime Charged</b>	<b>Starting Date of Detention</b>	<b>Duration of Detention</b>	<b>Case Status</b>

<b>III. JAIL PROFILE (Accomplish a jail profile for every jail/detention center/youth detention home/youth rehabilitation center visited during the quarter)</b>		
<b>A. BJMP/Provincial or City Jail/Detention Center/Youth Detention Home/Youth Rehabilitation Center visited:</b>		<b>Date/s Visited:</b>
<b>Subject Matter</b>	<b>Specific Observations</b>	<b>Action/s Taken</b>
<b>Perceived or reported instances of harassment of adult prisoners/detainees and children in conflict with the law and their counsels</b>		
<b>Jail practices inimical to the physical and mental health, safety and well-being of adult prisoners/detainees and children in conflict with the law</b>		

Factual observations on the accommodations, jail amenities, health condition, space/capacity, sanitary facilities, ventilation, food, medicines, access to doctors, visiting hours and visitors allowed		
Other matters		

**\*To be submitted by the PRESIDING/ACTING PRESIDING JUDGE to their respective Executive Judges FIVE (5) days after the scheduled jail visitation and inspection.**

**CERTIFICATION**

I HEREBY CERTIFY under oath that I personally conducted the jail visitation and inspection with my two (2) staff members, namely, \_\_\_\_\_ and \_\_\_\_\_, on the date/s indicated above, and that the foregoing information are true and correct.

\_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Presiding/Acting Presiding Judge

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Executive/Acting Executive Judge or RTC Judge of a Single Station

*Jail Visitation & Inspection (Form 2)*

**CONSOLIDATED JAIL VISITATION AND INSPECTION REPORT**

Period Covered: Quarter \_\_\_\_\_ Year \_\_\_\_\_

JUDICIAL REGION: \_\_\_\_\_

COURT STATION: \_\_\_\_\_

<b>I. REPORT ON DETAINEES OF THE PRESIDING/ACTING PRESIDING JUDGE</b>			
<b>Name of Judge</b>	<b>Court/Station</b>	<b>Total Number of Detainees</b>	
		<b>Adult</b>	<b>Children in Conflict with the Law</b>

<b>11. JAIL PROFILE (Accomplish a jail profile for every jail/detention center/youth detention home/youth rehabilitation center visited during the quarter)</b>		
<b>A. BJMP/Provincial or City Jail/Detention Center/Youth Detention Home/Youth Rehabilitation Center visited:</b>		<b>Date/s Visited:</b>
<b>Subject Matter</b>	<b>Specific Observations</b>	<b>Action/s Taken</b>
Perceived or reported instances of harassment of adult prisoners/detainees and children in conflict with the law and their counsels		
Jail practices inimical to the physical and mental health, safety and well-being of adult prisoners/detainees and children in conflict with the law		
Factual observations on the accommodations, jail amenities, health condition, space/capacity, sanitary facilities, ventilation, food, medicines, access to doctors, visiting hours and visitors allowed		
Other matters		

**III. STATUS REPORT OF THE BJMP OR PROVINCIAL OR CITY WARDENS AND/OR HEADS OF YOUTH DETENTION HOMES & YOUTH REHABILITATION CENTERS** (Please see attached report)

Name of BJMP/Provincial or City Jail/Youth Detention Home/Youth Rehabilitation Center	Address	Total Number of Detainees	
		Adult	Children in Conflict with the Law

\*To be accomplished and submitted by the **Executive/Acting Executive Judge or RTC Judge of a single sala station** to the Court Management Office, not later than **fifteen (15) days** following the last day of every quarter. *(Amendments supplied)*

**CERTIFICATION**

I HEREBY CERTIFY under oath that I personally conducted the jail visitation and inspection with my two (2) staff members, namely, \_\_\_\_\_ and \_\_\_\_\_, on the date/s indicated above, and that the foregoing information are true and correct.

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Executive Judge/Acting Executive Judge/RTC Judge of a Single Sala Station

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Vice-Executive Judge/Presiding Judge/Public Prosecutor/Notary Public