

EIGHTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
FIRST REGULAR SESSION }



SENATE  
SENATE BILL NO. 1209

'19 NOV 27 P4:57

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INTRODUCED BY SENATOR LACSON

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RECEIVED

**AN ACT**  
**CREATING THE PHILIPPINE JUDICIAL MARSHAL SERVICE DEFINING**  
**ITS FUNCTIONS AND POWERS, APPROPRIATING FUNDS THEREFOR, AND**  
**FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

It is incumbent upon the State to ensure that the lives of all incumbent and sitting justices and judges numbering more than two thousand are secured so they can function independently and without fear so as not to compromise the fulfillment of their noble role in the administration and dispensation of justice.

In the past two (2) decades, there were thirty one (31) reported killings of members of the judiciary, five of which happened under the Duterte administration. In a statement released relative to the recent killing of Tagudin, Ilocos Sur Regional Trial Court (RTC) Branch 25 Judge Mario Anacleto Bañez, the Philippine Judges Association (PJA) raised the question, "For how can justice be served if the dispensers of justice, themselves, have become targets and victims of crimes?"

Considering the numerous unsolved killings of the members of the Judiciary, newly appointed Supreme Court Chief Justice Diosdado Peralta in his 10- point agenda, emphasized the need for the provision of judicial marshals who will serve as the main law enforcement arm of the Court similar to the Supreme Court of the United States Police and United States Marshall.

In response to this and recognizing the importance and necessity of the said proposal, this legislative measure seeks to create a Philippine Judicial Marshal Service under the control and jurisdiction of the Supreme Court whose primary function is to protect, safeguard, watch over, provide security, and ensure the safety of justices, judges, court officials and personnel, and the various halls of justice, courthouses, and other court buildings and properties all over the country. Further, said Marshall Service shall likewise have the authority to conduct threat assessments and undertake investigations of crimes and other offenses committed, including potential security threats.

In view of the foregoing, the passage of this bill is earnestly sought.

  
**PANFILO M. LACSON**  
Senator



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

- 1 Section 1. *Creation of the Philippine Judicial Marshal Service and its Functions.* There is  
2 hereby created the Philippine Judicial Marshal Service under the Supreme Court, through the  
3 Office of the Court Administrator, which shall have the following functions:  
4  
5 (a) To protect, defend, safeguard, watch over, provide security and ensure the safety of  
6 justices, judges, court officials and personnel, and halls of justice, courthouses, and  
7 other court buildings and properties;  
8  
9 (b) To conduct threat assessments and undertake investigations of crimes and other  
10 offenses committed, including potential security threats against justices, judges,  
11 court officials and personnel, and halls of justice, courthouses, and other court  
12 properties;  
13  
14 (c) To ensure that court trials and hearings, including judicial conferences, seminars, and  
15 meetings, proceed orderly in accordance with existing rules, guidelines and practice;  
16  
17 (d) To conduct investigations concerning allegations of irregularities, including graft and  
18 corruption, committed by justices, judges, court officials and personnel;  
19  
20 (e) To assist in the execution and implementation of court orders; and  
21  
22 (f) To perform such other related functions as the Supreme Court, the Chief Justice, or  
23 the Court Administrator may order, direct and instruct from time to time.



1           Section 2. *Officials of the Philippine Judicial Marshal Service and Their Assignments.* The  
2 Philippine Judicial Marshal Service shall be headed by the Chief Marshal who shall have the same  
3 rank, privileges and compensation of a Court of Appeals Associate Justice. The Chief Marshal  
4 shall be assisted by three (3) Deputy Marshals who shall have the same rank, privileges, and  
5 compensation of a Regional Trial Court Judge, and be respectively assigned in Luzon, Visayas  
6 and Mindanao.

7  
8           Section 3. *Qualifications, Appointment and Tenure.* The Chief Marshal and the Deputy  
9 Marshals must be a lawyer and must have been at least a full Colonel of the Armed Forces of the  
10 Philippines (AFP) or the Philippine National Police (PNP), or an Assistant Director of the National  
11 Bureau of Investigation (NBI). They shall be appointed by the Supreme Court en banc and shall  
12 serve until they reach the age of sixty-five (65) unless they become incapacitated to discharge the  
13 duties of their office or are removed for just cause by a vote of not less than eight (8) justices of  
14 the Supreme Court.

15  
16           Section 4. *Composition and Size of Personnel of the Philippine Judicial Marshal Service.*  
17 The composition and size of personnel of the Philippine Judicial Marshal Service shall be  
18 determined by the Supreme Court which may create such offices, divisions and units under it, as  
19 it may deem necessary and for this purpose, the Supreme Court is authorized to adopt and  
20 implement the corresponding staffing patterns: *Provided*, however, That the positions, titles, and  
21 salaries of its officials and personnel shall be in accordance with the position classifications and  
22 salary grades in the Judiciary, the Civil Service Rules and the Salary Standardization Act:  
23 *Provided*, further, That all officials and personnel appointed under this Republic Act shall belong  
24 to the classified service and shall be governed by the Civil Service Law, except those whose  
25 positions are highly technical or primarily confidential.

26  
27           Section 5. *Powers, Duties, and Responsibilities.* The Supreme Court shall determine and  
28 define the powers, duties, and responsibilities of the officials and personnel of the Philippine  
29 Judicial Marshal Service which shall include, but not limited to, the following:

- 30  
31           (a) To issue subpoenas for the appearance of any person for investigation, apply for any  
32 person for investigation, apply for search warrants before any court of law, and file  
33 complaints before the Ombudsman, City Prosecutor or the Department of Justice;  
34  
35           (b) To take and require sworn statements from any person so summoned, in relation to  
36 the cases under investigation, in accordance with the Constitution, existing laws,  
37 jurisprudence and rules;  
38

1 (c) To administer the oath of any person in relation to the cases under investigation;

2  
3 (d) To make arrests, searches and seizures in relation to the functions of the Philippine  
4 Judicial Marshal Service, and in accordance with the Constitution, existing laws,  
5 jurisprudence and rules;

6  
7 (e) To have access over all public records under the custody of any government branch,  
8 institution, agency or instrumentality, and upon proper request made to private  
9 telecommunications companies, the records of any individual under investigation  
10 which shall be treated with the utmost confidentiality and only for purposes of the  
11 case/s under investigation;

12  
13 (f) To possess suitable and adequate firearms for their personal safety and protection in  
14 connection with their duties and responsibilities, and for the proper safety and  
15 protection of the justices, judges, court officials and personnel, and halls of justice,  
16 courthouses, and other court properties; Provided, that no prior special permit from  
17 any other government institution or agency for such possession shall be required.

18  
19 Section 6. *Initial Funding.* For purposes of this Act, there is hereby appropriated from the  
20 National Treasure the initial sum of Fifty Million Pesos (P50,000,000.00) for the salaries, wages  
21 and other expenses of personnel, the purchase of necessary supplies, materials and equipment, and  
22 for other purposes. The appropriations for the succeeding fiscal years shall be included in the  
23 annual General Appropriations Act.

24  
25 Section 7. *Separability Clause.* If any provision of this Act or an application thereof to any  
26 person or circumstance is held to be invalid, the other provisions of this Act, and the application  
27 of such provision to other persons or circumstances, shall not be affected thereby.

28  
29 Section 8. *Repealing Clause.* All laws, order, issuances, rules and regulations or parts  
30 thereof inconsistent with this Act are hereby repealed or modified accordingly.

31  
32 Section 9. *Effectivity.* This Act shall take effect fifteen (15) days following the date of its  
33 publication in the Official Gazette or in at least two (2) newspapers of general circulation,  
34 whichever comes first.

35  
36 Approved,