



EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session* }

'19 DEC 19 P4:18

SENATE  
S. B. No. 1255

RECEIVED

---

Introduced by SENATOR VICENTE C. SOTTO III

---

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

EXPLANATORY NOTE

The Philippines Judges Association last November 2019 castigates and denounces the killings and violence committed against judges in relation to the faithful conduct of their duties. The Philippine Judges Association asked a valid and relevant question, "For how can justice be served if the dispensers of justice, themselves, have now become targets and victims of crimes?"

Such threats and harassment affects the freedom of our judges to perform their mandates in accordance with the power vested in them by law. At present, judges are left with no choice but to protect themselves by bringing their own gun and undergoing certain trainings to ensure their safety.

The Philippine Judicial Court Marshal shall be primarily tasked to protect, defend, safeguard, watch over, provide security and ensure the safety of justices, judges, court officials and personnel, and halls of justice, courthouses, and other court buildings and properties.

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

VICENTE C. SOTTO III



'19 DEC 19 P4:18

EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session* }

SENATE  
S. B. No. 1255

---

Introduced by SENATOR VICENTE C. SOTTO III

---

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

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

- 1           **Section 1.** *Creation of the Philippine Marshal Service and its Functions.*  
2    There is hereby created the Philippine Marshal Service under the Supreme  
3    Court, through the Office of the Court Administrator, which shall have the  
4    following functions:
- 5           (a)    To protect, defend, safeguard, watch over, provide security and  
6                    ensure the safety of justices, judges, court officials and personnel,  
7                    and halls of justice, courthouses, and other court buildings and  
8                    properties;
- 9           (b)    To conduct threat assessments and undertake investigations of  
10                   crimes and other offenses committed, including potential security  
11                   threats, against justices, judges, court officials and personnel, and  
12                   halls of justice, courthouses, and other court properties;
- 13           (c)    To ensure that court trials and hearings, including judicial  
14                   conferences, seminars and meetings, proceed orderly in accordance  
15                   with existing rules, guidelines and practice;

- 1 (d) To conduct investigations concerning allegations of irregularities,  
2 including graft and corruption, committed by justices, judges, court  
3 officials and personnel;
- 4 (e) To assist in the execution and implementation of court orders;  
5
- 6 (f) To perform such other related functions as the Supreme Court, the  
7 Chief Justice, or the Court Administrator may order, direct and  
8 instruct from time to time.

9 **Section 2.** *Officials of the Philippine Marshal Service and Their*  
10 *Assignments.* The Philippine Marshal Service shall be headed by the Chief  
11 Marshal who shall have the same rank, privileges, and compensation of a Court  
12 of Appeals Associate Justice. The Chief Marshal shall be assisted by three (3)  
13 Deputy Marshals who shall have the same rank, privileges, and compensation of  
14 a Regional Trial Court Judge, and be respectively assigned in Luzon, Visayas and  
15 Mindanao.

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

24 **Section 4.** *Composition and Size of Personnel of the Philippine Marshal*  
25 *Service.* The composition and size of personnel of the Philippine Marshal Service  
26 shall be determined by the Supreme Court which may create such offices,  
27 divisions and units under it, as it may deem necessary, and for this purpose, the  
28 Supreme Court is authorized to adopt and implement the corresponding staffing  
29 patterns; Provided, however, that the positions, titles, and salaries of its officials  
30 and personnel shall be in accordance with the position classifications and salary  
31 grades in the Judiciary, the Civil Service Rules and the Salary Standardization  
32 Act; Provided further, however, that all officials and personnel appointed under  
33 this Republic Act shall belong to the classified service and shall be governed by  
34 the Civil Service Law, except those whose positions are highly technical or  
35 primarily confidential;

1           **Section 5. Powers, Duties, and Responsibilities.** The Supreme Court shall  
2 determine and define the powers, duties, and responsibilities of the officials and  
3 personnel of the Philippine Marshal Service which shall include, but not limited  
4 to, the following:

5           (a) To issue subpoenas for the appearance of any person for  
6 investigation, apply for search warrants before any court of law, and  
7 file complaints before the Ombudsman, City Prosecutor or the  
8 Department of Justice;

9           (b) To take and require sworn statements from any person so  
10 summoned, in relation to the cases under investigation, in  
11 accordance with the Constitution, existing laws, jurisprudence and  
12 rules;

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

15          (d) To make arrests, searches and seizures, in relation to the functions  
16 of the Philippine Marshal Service, and in accordance with the  
17 Constitution, existing laws, jurisprudence and rules;

18          (e) To have access over all public records under the custody of any  
19 government branch, institution, agency or instrumentality, and  
20 upon proper request made to private telecommunications  
21 companies, the records of any individual under investigation which  
22 shall be treated with utmost confidentiality and only for purposes of  
23 the case/s under investigation;

24          (f) To possess suitable and adequate firearms for their personal safety  
25 and protection in connection with their duties and responsibilities,  
26 and for the proper safety and protection of the justices, judges, court  
27 officials and personnel, and halls of justice, courthouses, and other  
28 court properties; Provided, that no prior special permit from any  
29 other government institution or agency for such possession shall be  
30 required;

31           **Section 6. Initial Funding.** For purposes of this Act, there is hereby  
32 appropriated from the National Treasury the initial sum of Fifty Million Pesos  
33 (P50,000,000.00) for the salaries, wages and other expenses of personnel, the

1 purchase of necessary supplies, materials and equipment, and for other  
2 purposes. The appropriations for the succeeding fiscal years shall be included  
3 in the annual General Appropriations Act.

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

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

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

15 *Approved,*