

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session  
**HOUSE BILL NO. 5403**



Introduced by REP. JOHNNY T. PIMENTEL

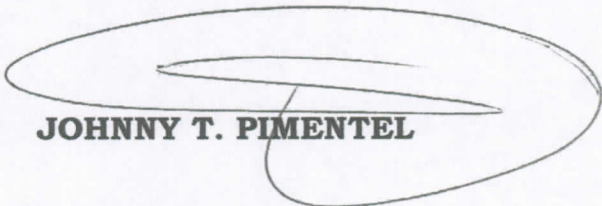
**EXPLANATORY NOTE**

Judges, court staff and litigants have become increasingly exposed to potential violence when hearing cases. Furthermore, the recent killing incidents of judges has caused a chilling effect in our judicial system. The Philippine government cannot allow these brazen attacks to go on without an institutional response.

Philippine court officials deserve strong protection considering that they have become more vulnerable to aggression and violence from presumably hateful litigants and other lawless elements. As such, a creation of a protective service of the judiciary is warranted.

This House measure intends to form the Philippine Marshals Service to protect judges and justices, as well as to secure court proceedings and court properties used by members of the judiciary. It also gives Marshals the power to conduct protective investigations against potential security threats to members of the judiciary.

The passage of this Bill is earnestly sought.

  
**JOHNNY T. PIMENTEL**

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**AN ACT**  
**ESTABLISHING THE OFFICE OF THE PHILIPPINE MARSHALS SERVICE**  
**UNDER THE SUPREME COURT OF THE PHILIPPINES AND**  
**APPROPRIATING FUNDS THEREOF**

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

1 Section 1. There is hereby created a Philippine Marshals Service (PMS) under  
2 the control and supervision of the Supreme Court primarily responsible for  
3 the protection of court officials and properties.

4  
5 Section 2. The Philippine Marshals Service shall have the following functions:

- 6 i. To ensure the safe and secure conduct of the judicial proceedings;
- 7 ii. To protect the Justices of the Supreme Court, Court of Appeals,  
8 Court of Tax Appeals and Sandiganbayan;
- 9 iii. To protect Chief Justice of the Supreme Court;
- 10 iv. To provide protection for judges and court officials;
- 11 v. To assess, investigate and mitigate threats against the judiciary;
- 12 vi. To undertake investigations of crimes and other offenses against the  
13 laws of the Philippines, upon its own initiative and as public interest  
14 may require;
- 15 vii. To give technical aid to all prosecuting and law-enforcement officers  
16 and entities of the Government;
- 17 viii. To coordinate with law enforcement agencies to maximize collection  
18 and sharing of intelligence information;



- ix. To perform such other related functions as the Supreme Court Chief Justice may assign from time to time.

Section 3. The Philippine Marshals Service shall be headed by a Director of the PMS, who shall be appointed by the Chief Justice of the Supreme Court.

The composition and size of the personnel of the Philippine Marshals Service shall be determined by the Director.

Section 4. Appointments to position in the PMS shall be made only according to merit and fitness to be determined as far as practicable by competitive mental and physical examination and after adequate instruction and training. Provided, That no person shall be appointed as Marshal of the PMS unless he/ she possesses the minimum qualifications:

- i. A citizen of the Philippines;
- ii. A bachelors degree holder;
- iii. A person of good moral conduct;
- iv. Must not have been dishonorably discharged from military/ uniformed service or dismissed for cause from any civilian position in the Government;
- v. Must not have been convicted by final judgment of an offense or crime involving moral turpitude;
- vi. Atleast 5'5" for males or 5'3"" for females
- vii. A new applicant must be not less than 21 years old but not more that 35 years old.

Section 5. Marshals of the PMS shall undergo continuous training and education to ensure that they maintain and improve their skills as well as inform themselves of up-to-date knowledge and information on security. They may undergo training and education in the Philippine Public Safety College or in other equivalent institutions.

1 Section 6. Marshals of the PMS shall be peace officers, and as such have the  
2 following powers:

- 3 i. To make arrests, searches and seizures in accordance with existing  
4 laws and rules;
- 5 ii. To take and require sworn truthful statements of any person or persons  
6 so summoned in relation to cases under investigation;
- 7 iii. To administer oaths upon cases under investigation;
- 8 iv. To investigate and prevent crimes against judicial officers, effect the  
9 arrest of criminal offenders, bring offenders to justice and assist in their  
10 prosecution;
- 11 v. To possess suitable and adequate firearms for their personal protection  
12 in connection with their duties and for the proper protection of court  
13 officers and properties: Provided, that no previous special permit for  
14 such possession shall be required.

15  
16 Section 7. The amount necessary for the initial implementation of this Act  
17 shall be sourced from the current appropriation of the Judiciary. Thereafter,  
18 such sums as may be necessary for the continued implementation of this Act  
19 shall be included in the annual General Appropriations Acts.  
20

21 Section 8. All laws, executive orders, proclamations, rules, regulations and  
22 other issuances or parts thereof which are inconsistent with the provisions of  
23 this Act are hereby repealed, amended or modified accordingly.  
24

25 Section 9. This Act shall take effect fifteen (15) days following its publication  
26 in the Official Gazette or in at least two (2) newspapers of general circulation.  
27

28 *Approved,*  
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