

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

**EIGHTEENTH CONGRESS**  
*First Regular Session*

House Bill No. 3409



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Introduced by **HON. ROZZANO RUFINO B. BIAZON**

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**EXPLANATORY NOTE**

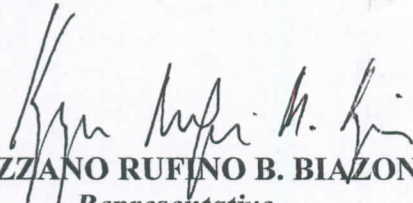
This proposed measure seeks to establish the Office of Judiciary Marshals which shall be primarily responsible for the protection and security of the members of the judiciary and the courts. It shall be under the control and supervision of the Chief Justice.

Our magistrates and judges face constant threats to their lives because of cases that have been brought to the courts for resolution. Worse, such threats to security have also been extended to members of their families. According to reports, there have been around thirty (30) judges who have been killed since 1999.

This is the kind of situation that our magistrates and judges face amidst the expectation for them to render impartial decisions on cases that are brought to them. There is a need to provide our magistrates and judges a secure environment where they will be able to perform this almost inhuman act of rendering fair and just decisions amidst all threats to their lives and those of the members of their families.

While this task may be given to the military and police, it would be better if there is a dedicated security force for the members of the judiciary. Such a situation would free military and police personnel of this added task and enable them to concentrate on their core responsibilities. The dispensation of justice would also be hastened with a dedicated security force for our judiciary as judiciary-related tasks such as the serving of documents, protection of witnesses and even the transportation of prisoners may now be done in a more efficient, effective and secure manner. It is envisioned that the establishment of the Office of Judiciary Marshals will make all of these things a reality.

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

  
**ROZZANO RUFINO B. BIAZON**  
*Representative*  
Lone District, Muntinlupa City



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**AN ACT**  
**ESTABLISHING THE OFFICE OF JUDICIARY MARSHALS**  
**AND APPROPRIATING FUNDS THEREFOR**

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

**SECTION 1. *Short Title.*** – This Act may be cited as the "*Judiciary Marshals Act.* "

**SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to ensure the independence of the legislative, executive, and judicial departments of the government to promote efficiency and to enable them to perform their respective constitutional mandates.

Towards this end, an independent and organized security force under the control and supervision of the judiciary is necessary to secure the performance of its constitutionally mandated duty to administer justice according to the laws of the land.

**SEC. 3. *Office of Judiciary Marshals.*** – There is hereby established an Office of Judiciary Marshals (OJM) under the control and supervision of the Chief Justice of the Supreme Court of the Philippines. The OJM shall be primarily responsible for the protection and security of the members of the judiciary and the courts.

**SEC. 4. *Powers and Functions.*** – The OJM shall exercise the following duties and responsibilities:

- (a) Secure the safety of all members of the judiciary, their spouses, and their immediate family, upon determination and validation that their lives are under threat;
- (b) Protect the properties of the judiciary and ensure the safety of its employees, visitors, and other persons who are in the premises of the courts and its properties;
- (c) Maintain peace and order and conduct patrol duties, communications, intelligence gathering and access control systems in the premises of the courts and its properties;



- (d) Coordinate with other law enforcement agencies to maximize collection and sharing of intelligence information for purposes of identifying threats to Congress or any of its members, their spouses, and their immediate family;
- (e) Prevent crimes, effect the arrest of criminal offenders, investigate the commission of all crimes and offenses committed within the premises of the courts and its other properties and assist in the prosecution thereof;
- (f) Coordinate the issuance of licenses for the possession of, and permits to carry, firearms to members of the judiciary and the Judiciary Marshalls;
- (g) Serve subpoenas, warrants and other documents that the courts may issue;
- (h) Purchase firearms, ammunitions, and other equipment necessary for the performance of its function;
- (i) Issue Mission Orders and Memorandum of Receipt for the purpose of providing its personnel with firearms, ammunitions, and other equipment; and
- (j) Perform and exercise all other powers and functions necessary to implement the provisions of this Act.

SEC. 5. *The Chief Marshal.* – The OJM shall be headed by a Chief Marshal who shall oversee its daily operations. The Chief Marshal shall come from newly retired members of the Armed Forces of the Philippines and the Philippine National Police with a rank not lower than Brigadier General or Police General. He shall enjoy the same benefits and emoluments equal to that of a judge in a Regional Trial Court. The rules on retirement of the judiciary shall apply to the Chief Marshal.

SEC. 6. *Duties and Responsibilities of the Chief Marshal.* – The Chief Marshal shall exercise the following duties and responsibilities:

- (a) Recommend to the Chief Justice the appointment, and promotion of personnel of the OJM;
- (b) Deployment, placement, and utilization of Judiciary Marshals;
- (c) Resolution of any complaint filed against its officers and exercise disciplinary powers, including imposition of penalties;
- (d) Establishment of an effective performance system; and
- (e) Issuance of policies and instructions regarding personnel, funds, properties, records, correspondences, and such other matters as may be necessary to effectively carry out the functions, powers, and duties of the OJM.

The exercise of the duties and responsibilities of the Chief Marshal is subject to the review and approval Chief Justice.



SEC. 7. *Organizational Structure and Staffing Pattern.* – Within six (6) months from the effectivity of this Act, the Chief Marshal in cooperation with the Court Administrator shall formulate and finalize the staffing pattern of the OPJM for the approval of the Chief Justice.

The OJM shall be comprised of two (2) key units, the Operations and Administrative Bureaus, which shall be headed by the Director for Operations and the Chief Administrative Officer, respectively.

(a) Operations Bureau. – The following services shall be under the Operations Bureau:

- (1) Operational Service, which shall be responsible for the operational needs of the OJM, shall include specialty units such as command center, communications, crisis and emergency unit, patrol and mobile unit, and canine unit.
- (2) Protective Service, which is responsible for collecting and analyzing information to produce intelligence, assessing threats, identifying and mitigating risks, and protecting the members of the judiciary, shall include specialty units such as investigation, intelligence analysis, and dignitary protection.
- (3) Security Service which is responsible for the planning, design, and execution of security measures in the premises of both Houses of Congress.

(b) Administrative Bureau. – The following services shall be under the Administrative Bureau:

- (1) Financial Management Service, which is responsible for all the financial activity of the OJM, shall include accounting, budget, and procurement divisions.
- (2) Human Resource Service, which is responsible for developing, implementing, and administering human resource programs and services including recruitment, compensation and benefits, employee relations, training and development, and compliance with labor and employment laws.
- (3) Information Systems Service, which is responsible for the planning, budgeting, designing, and applying various technologies in support of the OPJM operations, such as providing automated information, networking, telecom, and wireless communications.

SEC. 8. *Qualification and Examination.* – No person shall be appointed as a Judiciary Marshal unless the applicant possesses the following minimum qualifications:

- (a) Citizen of the Philippines;
- (b) Of good moral conduct;



- (c) Must have passed the psychiatric or psychological, drug, and physical tests to be administered by government hospitals accredited by the Supreme Court for the purpose of determining physical and mental health;
- (d) Must possess a formal baccalaureate degree from a recognized institution of learning;
- (e) Must be eligible in accordance with the standards set by the Supreme Court;
- (f) Must not have been dishonorably discharged from the AFP or the PNP or dismissed for cause from any civilian position in the government;
- (g) Must not have been convicted by final judgment of an offense or crime involving moral turpitude;
- (h) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for males and one meter and fifty-seven centimeters (1.57 m.) for females;
- (i) Must weigh not more than or less than five kilograms (5 kgs.) from the standard weight corresponding to the height, age, and sex; and
- (j) Must not be less than twenty-one (21) years of age nor more than twenty-nine (29) years of age for female and thirty-two (32) years of age for male.

Except for item (j) above, these qualifications shall be continuing in character and an absence of any one of them at any given time shall be a ground for separation or retirement from the service.

For the purpose of determining compliance with the requirements on physical and mental health, as well as the non-use of prohibited drugs, the OJM, through an accredited government hospital, shall conduct regular psychiatric, psychological drug, and physical tests randomly and without prior notice.

Likewise, no Judiciary Marshal may be appointed without passing the qualifying entrance examinations that shall be administered by the OJM on the basis of the standards set by Supreme Court.

*SEC. 9. Training and Education.* – Judiciary Marshals shall undergo continuous training and education to ensure that they maintain and improve their skills, knowledge and capabilities in performing their mandate.

*SEC. 10. Promotion.* – To be eligible for promotion, a Judiciary Marshall shall comply with the following requirements:

- (a) Pass the corresponding promotional examination;
- (b) Complete an appropriate and accredited training course designed by the Chief Marshal duly approved by the Chief Justice;
- (c) Pass the psychiatric or psychological and drug tests; and



(d) Present a certification of no pending administrative or criminal case.

Special or meritorious promotion may be extended to any Judiciary Marshal for acts of conspicuous courage and gallantry at the risk of the officer's life above and beyond the call of duty upon prior validation by the Chief Justice based on established criteria to be formulated by the Chief Marshal in cooperation and coordination with the Court Administrator.

SEC. 11. *Salaries and Benefits.* – Judiciary Marshals and employees of the OJM shall receive existing salaries, benefits, and other allowances authorized for corresponding salary grades provided under existing laws, and civil service laws, rules and regulations. They shall also be entitled to other benefits and allowances that employees of the Supreme Court receive.

SEC. 12. *Retirement.* – A Judiciary Marshal fifty-six (56) years of age shall be compulsorily retired. However, any Judiciary Marshal, upon accumulation of twenty-five (25) years of satisfactory service may apply for early retirement subject to the approval of the Board.

Upon compulsory retirement, a Judiciary Marshal shall be entitled to retirement benefits computed one grade higher than the position last held.

SEC. 13. *Death and Disability.* – Judiciary Marshals or their heirs are entitled to all benefits relative to the death or permanent incapacity of the officer under existing laws. In addition, an officer who accumulated at least twenty (20) years of service who incurs total permanent disability in line of duty shall be compulsorily retired and shall be entitled to a separation pay equivalent to one and one-half (1 1/2) basic salary for every year of service computed on the current salary grade. A fraction of six (6) months shall be considered one (1) whole year.

SEC. 14. *Administrative Complaint and Disciplinary Action.* – Any administrative complaint and disciplinary action filed against any Judiciary Marshal shall be heard and decided by a body duly created for the purpose and whose members shall be appointed by the Chief Justice. It shall formulate its rules of procedure to be able to carry out its functions. The administrative penalties that may be imposed shall include withholding of benefits and privileges, forfeiture of salary, suspension, or any combination thereof, for a period not exceeding one hundred eighty (180) days.

SEC. 15. *Summary Dismissal Power of the Chief Justice.* – The Chief Justice, upon the recommendation of the disciplinary body and after due notice and hearing, may immediately remove or dismiss any Judiciary Marshal in the following cases:

- (a) When the charge involves moral turpitude and the evidence of guilt is strong;
- (b) When the Judiciary Marshal has been repeatedly charged and there are reasonable grounds to believe that the officer is guilty of the charges; and
- (c) When the Judiciary Marshal is guilty of a serious offense involving conduct unbecoming of an officer.

Any Judiciary Marshal who shall go on absence without leave (AWOL) for a continuous period of thirty (30) days or more shall be immediately dismissed from the service.



SEC. 16. *Appropriation.* – The amount necessary for the initial implementation of this Act shall be sourced from the current appropriations of the Supreme Court. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 17. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the Court Administrator shall promulgate the rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after publication in two (2) newspapers of general circulation.

SEC. 18. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SEC. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

*Approved,*