

A.M. No. 20-12-01-SC
**GUIDELINES ON THE
CONDUCT OF
VIDEOCONFERENCING**

Effective 16 January 2021

COVERAGE AND APPLICABILITY



Justifiable reason

Based on the sound judgment of the court, videoconferencing may be resorted to when there are compelling reasons.



OFW

OFW residing abroad or temporarily outside the Philippines.



High-risk Persons Deprived of Liberty

When the litigant or witness is a high-risk Person Deprived of Liberty.



Non-resident Foreign national

NRF, while in the Philippines, was involved in any action pending before any court, and would like to appear and/or testify remotely.

COVERAGE AND APPLICABILITY



Public Emergency

Periods of public emergencies officially declared by the concerned agency of the government.



Inability or Difficulty to physically appear

Due to security risk in his transport, danger to his life, serious health concerns, vulnerability due to age, physical condition, disability, etc.



Acts of God and human-induced events

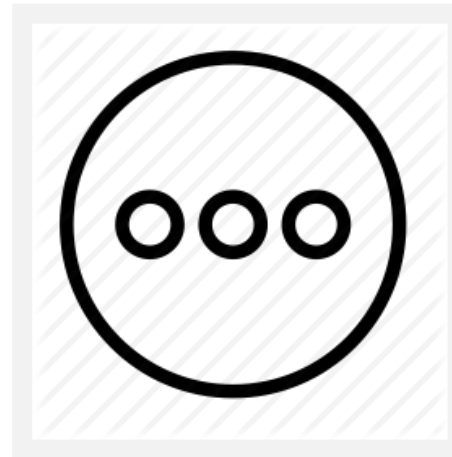
Those which limit physical access to the courts and other instances posing threats to the security and safety of the courts and/or personnel.

COVERAGE AND APPLICABILITY



Government
agency witness or
and expert witness

For justifiable grounds,
he or she cannot attend
the in-court hearing.



Other
circumstances
declared by the
Supreme Court

Sufficient to justify the
conduct of
videoconferencing.



Detention Facility

When the litigant or
witness is a PDL
committed in a detention
facility.

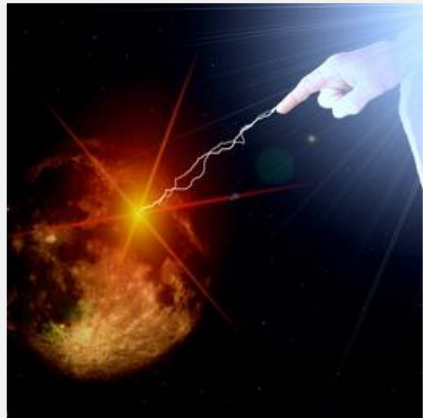
Can the Court *motu proprio* order the conduct of videoconferencing?

YES. In some instances, the Court may *motu proprio* order that hearings or proceedings be conducted through videoconferencing.

When can the Court order *motu proprio* the conduct of videoconferencing?



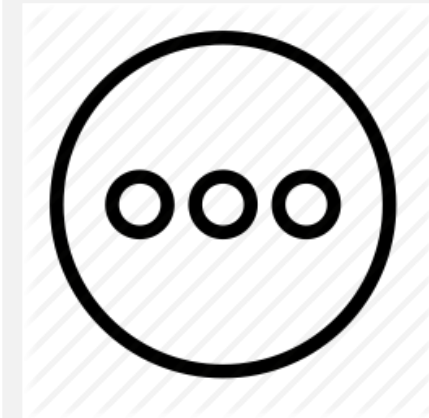
Public Emergency



Acts of God and
human-induced
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High-risk PDL



Other
circumstances
declared by the
Supreme Court

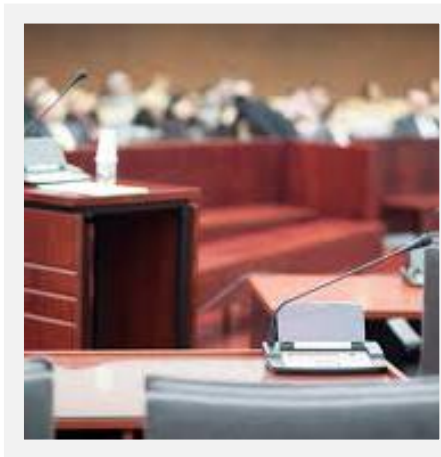


Detention Facility

Can a party move for the conduct of videoconferencing?

YES. A party or counsel may, by motion, request that the proceedings be conducted via videoconferencing.

What are the instances when the parties may initiate the conduct of videoconferencing?



Justifiable
reason



Inability or
Difficulty to
physically appear



Non-resident
Foreign national



Government
agency witness
or and expert
witness



OFW

How should the *Motion for the Conduct of Videoconferencing* be filed and/or served?

The movant shall file it **electronically** and/or **personally** with the court, serving a copy on the adverse litigant by the same means.

When should the *Motion for the Conduct of Videoconferencing* be filed and/or served?

The *Motion* should be filed with the court and served to the adverse party at least ten (10) calendar days before the scheduled hearing dates.

How long should the court resolve the *Motion*?

The court shall resolve the *Motion* within five (5) calendar days before the scheduled videoconferencing, with or without the comment or opposition from the adverse litigant.

VIDEOCONFERENCING COLLOQUY

At the beginning of the videoconferencing, the court shall conduct a colloquy with the participants appearing remotely.



VIDEOCONFERENCING COLLOQUY

1. Justice/Judge should identify the person appearing remotely and then identify themselves and their court.
2. Questions for defendant :
 - a. “Can you hear me?”
 - b. “Can you see me?”
 - c. “Who is in the room with you at this time?”
3. Remind the participants of the prohibition against photographing, recording and rebroadcasting of the court proceedings.



PRESENTATION OF DOCUMENTARY EVIDENCE

Documentary evidence and judicial affidavits shall be filed and served at least three (3) calendar days prior to the scheduled videoconferencing.



PRESENTATION OF DOCUMENTARY EVIDENCE

Colored and legible electronic copies of the documents shall be made available through email or shared repository of the court.



PRESENTATION OF OBJECT EVIDENCE

Object evidence may be presented during videoconferencing if the same is exhibited to, examined or viewed by all participants.



How?

By displaying the object on the screen or physically showing it to the witness testifying thereto at his or her location within full view of the participants.

PRESENTATION OF OBJECT EVIDENCE



THANK YOU!

