



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES	
RECEIVED	
30 JUN 2016	
DATE:	
TIME:	12:01 PM
BY:	
REGISTRATION UNIT	
BILL NO. 04	

HOUSE BILL NO. 04

Introduced by **REPRESENTATIVES RODOLFO C. FARIÑAS,**
PANTALEON D. ALVAREZ, ROLANDO G. ANDAYA, JR.,
MICHAEL JOHN R. DUAVIT, CARLOS O. COJUANGCO, ELISA T. KHO,
RANEO E. ABU, BENHUR L. SALIMBANGON, KARLO ALEXEI B.
NOGRALES, DANILO E. SUAREZ and RODEL M. BATOCABE

EXPLANATORY NOTE

On 8 September 1967, Republic Act No. 5179 (R.A. 5179), otherwise known as "An Act Creating Circuit Criminal Courts to Try and Decide Certain Criminal Cases and For Other Purpose" was enacted to alleviate the burden of regular Courts of First Instance [the then Regional Trial Courts] and to accelerate the disposition of criminal cases pending or to be filed therein. (*People v. Hon. Mario J. Gutierrez*, G.R. Nos. L-32282-83)

The Circuit Criminal Courts (CCC) back then, which were sixteen (16) all in all (or for each judicial region) only had limited jurisdiction, to wit:

- (a) Crimes committed by public officers, crimes against persons and crimes against property as defined and penalized under the Revised Penal Code, whether simple or complexed with other crimes;
- (b) Violations of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, and Republic Act No. 1379; and
- (c) Violations of sections 3601, 3602, and 3604 of the Tariff and Customs Code and sections 174, 175 and 345 of the National Internal Revenue Code.

Hence, on 12 February 1973, Presidential Decree No. 126 (P.D. 126) expanded the jurisdiction of the CCCs to include crimes, whether simple or complex, which are punishable by *reclusion perpetua* or death and with the *colatilla* "that were the offense charged is a complex crime and only the lesser offense which is punishable by a penalty less than *reclusion perpetua* is proved, the court shall not dismiss the case but shall decide the same and impose the corresponding penalty." The reasoning behind the expansion of jurisdiction was that "miscarriages of justice had often resulted when complex crimes filed with the CCCs were dismissed because not all the elements of the offense cognizable by the CCC could be proved as in kidnapping with murder, where the latter offense could not be proved and leaving only kidnapping over which offense the CCC has no jurisdiction." (Second Whereas Clause, P.D. 126)

The CCCs in the pre-1987 era were responsible for the trial of some of the most talked about criminal cases in Philippine History, such as *People v. Marlo Canial*, *Alfredo Edwards*, and *Janet Clemente*, G.R. Nos. L-31042-31043, August 18, 1972, and *People v. Hon. Mario J. Gutierrez*, *supra*.

In 1981 the now defunct *Batasang Pambansa* reorganized the entire Judiciary through *Batas Pambansa Blg. 129* (B.P. 129), otherwise known as the "Judiciary Reorganization Act of 1980". B.P. 129 abolished the CCCs created by R.A. 5179 and vested its jurisdiction to the first level courts (e.g. MTCs, MeTCs, MCTCs, and MTCCs) and the present Regional Trial Courts depending on the penalty and nature of the crime involved.

With a heightened sense of today's criminal justice system and criminal statistics, as well as an outlook for the future's peace and order, there is a need to intensify measures to address this concern, and one such measure is to revive the Circuit Criminal Courts attuned to the present legal landscape.

In an April 2016 news report¹, PNP released its data on index crimes and identified the top five areas in the country with the highest index crimes: Quezon City, City of Manila, Cebu City, Davao City, and Cagayan De Oro City. Meanwhile, the 2015 Philippine Statistics Authority Report stated an increase of more than 12% in the total crimes reported in the country from 2013 to 2014.

¹ Francisco, Katerina. "PNP: Quezon City has highest number of index crimes."

<<http://www.rappler.com/nation/127860-quezon-city-pnp-highest-index-crime>>, accessed June 13, 2016.

In light of the foregoing, the present bill seeks to create and establish CCCs all over the country to try and decide criminal cases the penalty of which is *reclusion perpetua*, or higher. The CCCs will be apportioned among the areas where the crime rates are its highest. These CCCs will aid in de-clogging the overloaded dockets of the Regional Trial Courts insofar as criminal cases are concerned. With the creation of the CCCs, improvement of the criminal justice system is also expected as there will be courts that will specialize and focus on the most common crimes of our society, and thus expedite the disposition thereof. Therefore, considering the above premises, the passage of this bill is most earnestly sought.



PANTALEON D. ALVAREZ



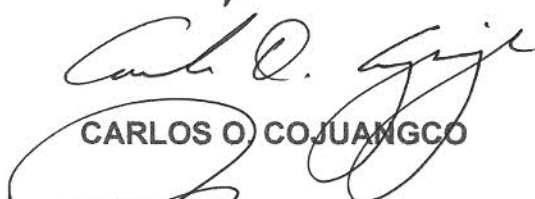
RODOLFO C. FARIÑAS



ROLANDO G. ANDAYA, JR.



MICHAEL JOHN R. DUAVIT



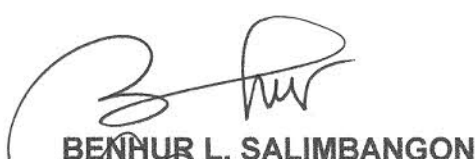
CARLOS O. COJUANGCO



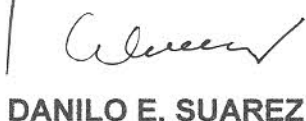
ELISA T. KHO



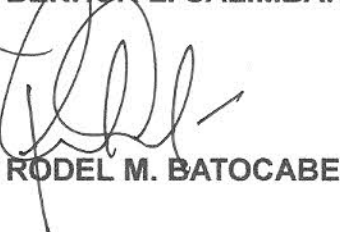
RANEO E. ABU



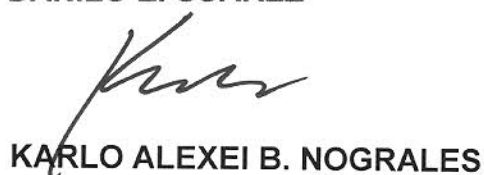
BENHUR L. SALIMBANGON



DANILO E. SUAREZ



RODEL M. BATOCABE



KARLO ALEXEI B. NOGRALES



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE BILL NO. 361 04

Introduced by REPRESENTATIVES RODOLFO C. FARIÑAS,
PANTALEON D. ALVAREZ, ROLANDO G. ANDAYA, JR.,
MICHAEL JOHN R. DUAVIT, CARLOS O. COJUANGCO, ELISA T. KHO,
RANEO E. ABU, BENHUR L. SALIMBANGON, KARLO ALEXEI B.
NOGRALES, DANILO E. SUAREZ and RODEL M. BATOCABE

AN ACT
CREATING CIRCUIT CRIMINAL COURTS GRANTING THEM EXCLUSIVE
ORIGINAL JURISDICTION TO TRY AND DECIDE CERTAIN CRIMINAL
CASES, AMENDING BATAS PAMBANSA BILANG 129, AS AMENDED,
OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF
1980, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

1 **Section 1. Title.** - This Act shall be known as the "***Circuit Criminal Courts Act***
2 ***of 2016***".

3 **Section 2. Creation of Circuit Criminal Courts.** - In each of the twelve (12)
4 judicial regions created by Batas Pambansa Blg. 129, there is hereby created a
5 Circuit Criminal Court with limited and exclusive jurisdiction to try and decide the
6 following criminal cases:

7 (a) Crimes against persons and crimes against property as defined and
8 penalized under the Revised Penal Code, whether simple or complexed
9 with other crimes, which may be punishable by *reclusion perpetua* to
10 death, or within the range of said penalties;

11 Provided, however, that were the offense charged is a complex crime and
12 only the lesser offense which is punishable by a penalty less than

1 *reclusion perpetua* is proved, the court shall not dismiss the case but
2 shall decide the same and impose the corresponding penalty."

3 (b) Violations of Republic Act No. 9165, known as the Comprehensive
4 Dangerous Drugs Act of 2002, which may be punishable by life
5 imprisonment to death.

6 **Section 2.** For every five (5) branches in each judicial region, two (2) Circuit
7 Criminal Court Judge shall be commissioned. The Supreme Court shall
8 determine the city or municipality where the Circuit Criminal Court shall be
9 established and hold sessions. *Provided, however,* That the Supreme Court may,
10 as the interests of justice may require, further reorganize the said courts taking
11 into account workload, geographical location, and such other factors as will
12 contribute to a rational allocation thereof.

13 **Section 3. Qualifications.** - The judges of the Circuit Criminal Courts herein
14 created shall be appointed by the President with the consent of the Commission
15 on Appointments, and shall have the same qualifications, rank, compensation
16 and privileges, and shall be subject to the same restrictions or disabilities, as the
17 judges of the Regional Trial Courts. They shall hold office during good behavior
18 and may be suspended or removed only in the manner and upon the same
19 grounds as the judges of the Regional Trial Courts.

20 **Section 4. Rules of Procedure.** - The provisions of all laws and the Rules of
21 Court relative to the judges of the Regional Trial Courts and the trial, disposition
22 and appeal of criminal cases therein shall be applicable to the circuit judge and
23 the cases cognizable by them insofar as they are not inconsistent with the
24 provisions of this Act.

25 Unless inconsistent with the provisions of this Act, the Circuit Criminal Courts
26 shall have the same powers as those conferred by the *Batas Pambansa Blg. 129*
27 and the Rules of Court upon the regular Regional Trial Courts, insofar as may be
28 necessary to carry their jurisdiction into effect.

29 **Section 5. Speedy Disposition of Cases.** - As far as practicable, the trial of
30 cases in the Circuit Criminal Courts, once commenced, shall be continuous until
31 terminated and the judgment shall be rendered within thirty (30) days from the
32 time the case is submitted for decision.

33 **Section 6. Staffing pattern.** - The Supreme Court shall submit to the President,
34 within thirty (30) days from the date of the effectivity of this Act, a staffing pattern
35 for all courts constituted pursuant to this Act which shall be the basis of the
36 implementing order to be issued by the President in accordance with the
37 immediately succeeding section.

38 **Section 7. Transitory Provision.** - Criminal cases cognizable by the Circuit

1 Criminal Courts herein created which are pending in, and have been partly tried
2 by, the Regional Trial Courts as of the date of the approval of this Act shall
3 continue to be tried and decided by the latter.

4 **Section 8.** Whenever necessary to carry out the objectives of this Act, the
5 Supreme Court, for a period of not more than three months, assign any Circuit
6 Judge to hold sessions in, and try cases pertaining to, another judicial region to
7 assist in the disposition of criminal cases therein.

8 **Section 9. Appropriations.** - Such sums as may be necessary to carry out the
9 provisions of this Act, including the salaries of complementary personnel and
10 those needed for operating expenses and equipment, are hereby appropriated
11 out of any funds in the National Treasury not otherwise appropriated. Henceforth,
12 the same shall be included in the annual general appropriations Act.

13 **Section 10. Separability Clause.** - In case any provision of this Act is declared
14 unconstitutional, the other provisions shall remain in effect.

15 **Section 11. Repealing Clause.** - All other laws, decrees, executive orders, rules
16 or regulations inconsistent herewith are hereby repealed, amended or modified
17 accordingly.

18 **Section 12. Effectivity.** - This Act shall take effect fifteen (15) days after its
19 publication in at least two (2) national newspapers of general circulation.

Approved.