

SC CIRCULAR NO. 20, August 07, 1987

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ADMINISTRATIVE SUPERVISION OF COURTS

TO :

COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A DISTRICT COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT:

Designation of certain Branches of the Regional Trial Courts to handle exclusively certain criminal Cases

The trial judge has the primary responsibility to minimize delay and to dispense swift justice. This is specially true in criminal cases involving serious offenses where a strong and adequate response from the courts by way of speedy trial and judgment can serve to deter criminal elements.

The Circuit Criminal Courts which were set up on September 8, 1967 under Republic Act No. 5179 served this purpose. Accordingly, under the authority of Section 23 of Batas Pambansa Blg. 129, certain branches of the Regional Trial Court of the National Capital Judicial Region and of such other regions where the need therefor may arise shall be designated as SPECIAL CRIMINAL COURTS to try exclusively the following criminal cases:

- Violations of Presidential Decree No. 1866, codifying the laws on illegal/unlawful possession, manufacture, dealing in, acquisition or disposition of, firearms, ammunitions, explosives or instruments used in the manufacture of firearms, ammunitions or explosives;
- Violations of Executive Order No. 276 known as the "Anti-Subversion Act", where the imposable penalty for the offense charged is prision correccional or higher;
- Crimes against public order (e.g. rebellion, sedition; etc.), defined in the Revised Penal Code, as amended;
- Violations of the Dangerous Drugs Act of 1972, as amended, cognizable by Regional Trial Courts under Batas Pambansa Blg. 129;
- Violations of the Anti-Carnapping Act of 1972; and
- All other offenses defined in the Revised Penal Code or Special Laws where the imposable penaltv is reclusion perpetua or life imprisonment or higher, whether simple or complex, and other offenses which, although not so punished, arose out of the same occurrence or were committed by the accused on the same occasion as that which is punishable by reclusion perpetua or higher, whether the accused, are charged as principal, accomplice or

accessory; Provided, however, that where 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 same and impose the corresponding penalty.

Special rules shall govern the trial and disposition of cases. These rules are as follows:

- The trial of these cases shall continue from day to day as far as practicable until terminated, and judgment thereon shall be rendered within thirty (30) days from the time the case is submitted for decision, unless a shorter period is otherwise provided by law, such as the fifteen-day period provided in the Dangerous Drugs Act. The filing of the memoranda after trial shall not required or allowed.
- Upon issuance of the designations, the SPECIAL CRIMINAL COURTS so designated shall not be assigned cases other than the criminal cases herein above enumerated and all other cases pending in these branches, whether civil or criminal, shall be redistributed by raffle to other branches by the Executive Judge, except those already submitted for decision and those criminal cases covered by this Circular which are already pending trial in said branches.
- All the criminal cases covered by this Circular wherein trial has already commenced shall remain in their respective branches where they were originally assigned. In appropriate cases, however, when the interests of justice so require, the case may be transferred to the SPECIAL CRIMINAL COURTS after study and favorable recommendation by the Executive Judge.
- Whenever necessary to carry out the objectives of this Circular, the Court may assign any other Regional Trial Court Judge to another judicial region to assist in the trial and disposition of any of the above enumerated criminal cases.
- Where no specified branch is designated as a SPECIAL CRIMINAL COURT, the above enumerated cases shall be raffled among the branches of the same station which shall try and decide the same, subject to Rule No. 1 hereof.

This Circular shall take effect immediately.

August 7, 1987.

(Sgd.) CLAUDIO TEEHANKEE

Chief Justice

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