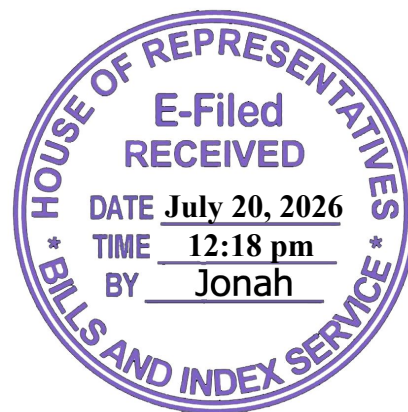


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
Second Regular Session



HOUSE BILL NO. 10117

Introduced by **REP. BERNADETTE "DETTE" G. ESCUDERO**

AN ACT
MANDATING THE IMPOSITION OF LESSER PENALTIES IN CRIMINAL CASES
WHERE THE CORRESPONDING CIVIL ASPECT HAVE BEEN SETTLED
THROUGH ALTERNATIVE DISPUTE RESOLUTION, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 9285, OTHERWISE KNOWN AS THE
"ALTERNATIVE DISPUTE RESOLUTION ACT OF 2004"

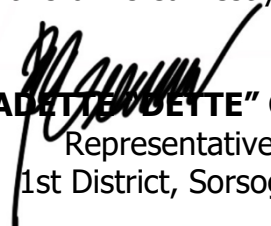
EXPLANATORY NOTE

Alternative Dispute Resolution (ADR) has steadily evolved into an invaluable and highly effective legal mechanism within our judicial system, offering an efficient paradigm for the settlement of complex controversies and significantly mitigating the protracted nature of traditional courtroom litigation.

In order to incentivize the adoption of ADR mechanisms and systematically strengthen its practice across the country, this measure introduces a restorative and mitigating benefit favorable to the accused through a grant and reduction of the impossible principal penalty in the event of a conviction in criminal proceedings, provided that the civil liability arising from the offense has been conclusively settled with finality through authorized ADR processes. This is also aimed to significantly expedite the disposition of criminal dockets and optimize judicial economy.

By accelerating the determination, execution, and full satisfaction of civil liabilities which are legally deemed impliedly instituted alongside the criminal action this measure ensures a more swift, harmonious, and equitable administration of justice for both the aggrieved parties and the state.

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


HON. BERNADETTE "DETTE" G. ESCUDERO
Representative
1st District, Sorsogon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10117

Introduced by **REP. BERNADETTE "DETTE" G. ESCUDERO**

AN ACT

MANDATING THE IMPOSITION OF LESSER PENALTIES IN CRIMINAL CASES WHERE THE CORRESPONDING CIVIL ASPECT HAVE BEEN SETTLED THROUGH ALTERNATIVE DISPUTE RESOLUTION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9285, OTHERWISE KNOWN AS THE "ALTERNATIVE DISPUTE RESOLUTION ACT OF 2004"

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

1 **SECTION 1.** A new Section 7 is hereby inserted under Chapter 1 of Republic
2 Act No. 9285 which shall read as follows:

3
4 **"SEC. 7. EFFECTS OF ADR ON CRIMINAL CASES. — SUBJECT TO**
5 **THE IMMEDIATELY PRECEDING SECTION OF THIS ACT, IN**
6 **CRIMINAL CASES WHERE THE CIVIL ASPECT OF WHICH IS**
7 **SETTLED WITH FINALITY THROUGH ADR, THE PENALTY TO BE**
8 **IMPOSED SHALL BE AT LEAST TWO (2) DEGREES LOWER THAN**
9 **THAT PRESCRIBED BY LAW. IF THE SUBJECT OFFENSE CANNOT**
10 **BE LOWERED BY TWO (2) DEGREES PURSUANT TO ARTICLE 61**
11 **OF THE REVISED PENAL CODE, THEN THE PENALTY TO BE**
12 **IMPOSED SHALL BE FROM THE MINIMUM TO THE NEXT LOWER**
13 **PENALTY PRESCRIBED BY LAW."**

14
15 The succeeding sections are hereby renumbered accordingly.
16

1 **SECTION 2. *Repealing Clause.*** — All laws, presidential decrees, executive
2 orders, rules, and regulations or parts thereof which are inconsistent with the
3 provisions of this Act are hereby repealed or modified accordingly.

4
5 **SECTION 3. *Effectivity.*** — This Act shall take effect fifteen (15) days after its
6 publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,