

**AN ACT AMENDING TITLE 17 OF THE REVISED CODE OF LAW OF LIBERIA ,  
KNOWN AS THE NEW JUDICIARY LAW OF 1972 ADDING THERETO A NEW  
CHAPTER TO BE KNOWN AS CHAPTER 24, ESTABLISHING CRIMINAL COURT "D"  
TO HAVE EXCLUSIVE ORIGINAL JURISDICTION OVER THE CRIMES OF ARMED  
ROBBERY ,TERRORISM AND HIJACKING , RESPECTIVELY**

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**AN ACT AMENDING TITLE 17 OF THE REVISED CODE OF LAW OF LIBERIA, KNOWN AS THE NEW JUDICIARY LAW OF 1972 ADDING THERETO A NEW CHAPTER TO BE KNOWN AS CHAPTER 24, ESTABLISHING CRIMINAL COURT “D” TO HAVE EXCLUSIVE ORIGINAL JURISDICTION OVER THE CRIMES OF ARMED ROBBERY, TERRORISM AND HIJACKING, RESPECTIVELY**

It is enacted by the Transitional Legislative Assembly of the Liberia National Transitional Government of the Republic of Liberia, In Legislature Assembled:

Section 1 – Effective Date of Amendment

That effective immediately after the passage and publication in handbills of this Act, Title 17 of the Revised Code of Laws of Liberia, Known as the New Judiciary Law of 1972, is hereby amended by adding thereto a New chapter to be known as Chapter 24 establishing Criminal Court “D” in Montserrado County to have exclusive original jurisdiction over the crimes of Armed Robbery, Terrorism and Hijacking, respectively, and conferring concurrent jurisdiction on all judicial circuit courts conducting criminal trials in each of the other counties, to read as follows:

**CHAPTER 24 – CRIMINAL COURT “D”**

- Section 24 .1 - Criminal Court “D” Established
- Section 24. 2 - Jurisdiction and Procedure
- Section 24 .3 - Transfer of Armed Robbery, Terrorism and Hijacking Cases To Criminal Court “D”
- Section 24 .4 - Appointment and Tenure of Judges
- Section 24 .5 - Qualification of Judges
- Section 24 .6 - Power of Criminal Court “D”
- Section 24. 7 - Quarterly Sessions
- Section 24. 8 - Jury session; Time Limitation On Empanelment
- Section 24. 9 - Supreme Court to have appellate Jurisdiction
- Section 24.10 - Criminal Court “D” open for Judicial Business at All Times; Availability of Circuit Judges
- Section 24. 11 - Appointment of Clerks
- Section 24.12 - Appointment of Sheriffs and Ministerial Officers
- Section 24.13 - Exemption of Government, Agencies and officers thereof From Payment of Court fees or Cost
- Section 24.14 - Seal of Court

SECTION 24 .1 - CRIMINAL COURT "D" ESTABLISHED

- (1) There is hereby established in the First Judicial Circuit, Criminal Assizes, Montserrado County, Criminal Court "D".
- (2) Until Criminal Court "D" is established in each of the other counties of the Republic, the courts of the Second, Third, Fourth , Fifth ,Seventh , Eighth , Ninth , Tenth , Eleventh , Twelfth and Thirteenth Judicial Circuits shall exercise concurrent jurisdiction with Criminal Court "D" in Montserrado County.

SECTION 24. 2 - JURISDICTION AND PROCEDURE

- (1) Criminal Court "D" shall exclusive original jurisdiction over the crimes of Armed Robbery, Terrorism and Hijacking, except of justices of the peace and magisterial courts shall exercise preliminary examination authority over said crimes pursuant to chapter 12 of title 2 of the Liberian code of laws Revised, known as the new criminal procedure law of 1972.
- (2) The procedure and enforcement of its mandate and judgments shall be the same as that of the circuit courts in criminal cases.

SECTION 24 .3 - TRANSFER OF ARMED ROBBERY,  
TERRORISM AND HIJACKING CASES  
TO CRIMINAL COURT "D"

- (1) Effective immediately upon the publication of this Act in handbills all Armed Robbery, Terrorism and Hijacking cases pending in justices of the peace, magisterial and judicial circuit courts exercising criminal jurisdiction shall be transferred to criminal court "D" in montserrado county, and the other judicial circuit courts of the Republic.

SECTION 24 .4 - APPOINTMENT AND TENURE OF JUDGES

- (1) The president of Liberia shall nominate and with the consent of the senate ,appoint and commission judges to preside over criminal court "D"
- (2) Judges thus appointed shall hold office during good behavior, but may be removed from office by impeachment and conviction by the legislature base on proved misconduct, gross breach of duty, inability to perform the function of their offices or conviction in a court of law for treason, bribery or other infamous crimes.

#### SECTION 24 .5 -- QUALIFICATION OF JUDGES

Any person nominated and subsequently appointed as judge of Criminal Court “D” shall meet the requisite qualifications contained in article 69(a) (b) of the Constitution of Liberia.

#### SECTION 24 .6 - POWER OF CRIMINAL COURT “D”

Criminal Court “D” and judges thereof shall have the power, authority and jurisdiction to issue or order for summary proceeding in the nature of prohibition addressed to inferior courts not of record and their officers in exercise or aid of the appellate jurisdiction over said inferior courts.

#### SECTION 24.7 - QUARTERLY SESSIONS

1. The Criminal Court “D” shall meet four times in quarterly sessions which shall be known as February, May, August and November term respectively. It shall open on the second working Monday of each quarterly term.
2. DURATION ----ten days prior to the opening date of each quarterly term, there shall be pre-trial chamber session to be held by the judge assigned preside during that quarterly session, which shall immediately be followed by a regular jury trial session and continuing for forty two consecutive days excluding Sundays and legal holidays, unless sooner terminated because all business before the court is disposed of before the expiration of that period.  
Immediately following the closed of the jury trial session, there shall be a ten-day closing chamber session to be held by the judge concurrently assigned to the circuit.

#### SECTION 24.8 - JURY SESSION; TIME LIMITATION ON EMPANELMENT

No jury shall be empaneled after the forty second day of any quarterly trial session, as provided in section 24.7 of this act; but a jury, once empaneled in any case in accordance therewith shall continue until the case is determined.

#### SECTION 24.9 SUPREME COURT TO HAVE APPELLATE JURISDICTION

**Appeals from decisions and other determinations of Criminal Court “D” shall be to the Supreme Court of Liberia, whose judgments, decisions or rulings shall be final and binding and shall not be subject to appeal or review by any other branch of Government.**

SECTION 24.10 – CRIMINAL COURT “D” OPEN FOR JUDICIAL BUSINESS AT  
ALL TIMES; AVAILABILITY OF CIRCUIT JUDGES

The Criminal Court “D” situated in Montserrado County, including the other judicial circuit Courts of the Republic, shall always be considered open for adjudication of matters over which they have jurisdiction, and for the purpose of filing any pleading or other papers authorized by Rule of Court or statute , or issuing and returning mesne and final process, and of making and directing all interlocutory motions , order and rulings, whenever they are present within the circuit, the circuit Judge assigned to a circuit court during his assignment and the pre- trial chamber session prior thereto, concurrently with the resident judge thereof, shall have authority to act on all matters coming before the court ; and if neither is available, then except for the trial of an action and any motion in connection therewith which may be made during and after such trial or any motion for an order that would dispose of the action, in whole or in part, in any manner, all other matters may be heard by presiding judge of the Circuit Court adjoining the circuit where the action is triable.

SECTION 24. 11 -                    APPOINTMENT OF CLERKS

The president of Liberia shall nominate and with the consent of the senate, appoint a clerk for each Criminal Court “D” established in the Republic. such Clerk or Assistant Clerk shall, in addition to all other duties required of either of them by perform the following duties for the Court to where they are appointed:

- A) To keep a docket of all pending cases;
- B) To issue and record all writs and other processes permitted by law, sign with name as clerk, and seal them with court’s seal;
- C) To take minutes of all hearing held during the appointed sessions and record all matters transacted thereat;
- D) To take charge of all records and papers, give copies of them when required;
- E) To issue all venires of juror in cases triable by jury.

Section 24.12 - APPOINTMENT OF SHERIFFS AND MINISTERIAL OFFICERS

The president of Liberia shall nominate and with the consent of the senate, appoint a sheriff; Deputy Sheriff and other Ministerial officers of the Court to enable it to operate and function efficiently and normally.

SECTION 24.13 - EXEMPTION OF GOVERNMENT, AGENCIES AND OFFICERS THEREOF  
FROM PAYMENT OF COURT FEES OR COSTS

No judicial, ministerial officer, nor court personnel of Criminal Court "D" shall charge or collect a fee from the government, agency, or officer thereof acting in an official capacity for services rendered in any criminal action in which one of them is involved, nor for the filling, recording indexing on their account of any official paper and other document, nor for furnishing a transcript, certification or copy of any paper or other document to be used for official purposes.

SECTION 24.14 - SEAL OF COURT

The Criminal Court "D" shall have a distinctive seal for the authentication of its records and other official documents, and which shall be judicially noticed at all times.

SECTION 2 - EFFECTIVE DATE OF ACT

This act shall take effect immediately upon publication in handbill

ANY LAW TO THE CONTRARY NOTWITHSTANDING