

Provincial courts in Spain have their origin in the revolution of 1868 and the Constitution of the following year, a historical moment that definitively established the necessity of separating civil and criminal justice.

Lawmakers of the period understood that in order to fulfil this commitment a collegiate court was needed in each judicial district, which they articulated in substantive law of the judiciary of 1870.

However, lack of funds prevented its creation until 1882, with the enactment of the Criminal Procedure Act. It was at this time that the criminal courts strictly speaking were born.

Ten years later, a Royal Decree stated that there should be only one criminal court per province. Thus, forty-six benches of judges were dismantled, all of those not located in provincial capitals.

Subsequently, Royal Decree of 29 August 1983 converted the criminal courts of the territorial courts into provincial courts, extending their sphere of competence to include magistrate's courts and justices' courts. In 1968, the provincial courts also had jurisdictional authority in civil matters.