

EN BANC

[A.M. No. 19-12-293-RTC, June 30, 2020]

RE: RESULT OF THE JUDICIAL AUDIT CONDUCTED IN BRANCH 49, REGIONAL TRIAL COURT, PUERTO PRINCESA CITY, PALAWAN

DECISION

DELOS SANTOS, J.:

This administrative case stemmed from the judicial audit conducted in the Regional Trial Court (RTC) of Puerto Princesa City, Palawan, Branch 49, then presided by Judge Leopoldo Mario P. Legazpi (Judge Legazpi).

The Facts

A judicial audit was conducted in March 2014 in the RTC of Puerto Princesa City, Palawan, Branch 49. The result of the audit, as embodied in a Memorandum dated 20 January 2015 issued by Deputy Court Administrator Raul Bautista Villanueva (Deputy Court Administrator Villanueva), showed that there are: (1) eighty-eight (88) cases submitted for decision, seventy nine (79) of which are beyond the reglementary period to decide; (2) fifty one (51) cases with pending incidents submitted for resolution, forty (40) of which are beyond the reglementary period to resolve; (3) forty-nine (49) cases with no further action or setting for a considerable length of time; (4) three (3) cases with no initial action; and (5) twenty-four (24) cases are due for archiving pursuant to OCA Circular No. 89-2004 dated 12 August 2004. The report further revealed that these cases were not properly reflected in the monthly report of cases and there is no showing on record that Judge Legazpi requested for extension of time to decide the cases. It was likewise noted that there was a delay in deciding appealed cases which is in violation of Section 7, Rule 40 of the Rules of Court.

In view of the judicial audit report, Deputy Court Administrator Villanueva directed Judge Legazpi to:

1. Decide the eighty-eight (88) cases submitted for decision;
2. Resolve the fifty-one (51) incidents submitted for resolution;
3. Take appropriate action on the forty-nine (49) cases with no further action of setting for a considerable length of time;
4. Take appropriate action on the three (3) cases with no initial action;
5. Take appropriate action on the twenty-four (24) cases due for archiving pursuant to OCA Circular No. 89-2004 dated 12 August 2004;

6. Act on the other findings/observations stated in the memorandum;
7. Explain why the aforementioned cases were not decided within the reglementary period in violation of the Rules and why no request for extension was sought prior to the lapse of the period;
8. Explain why the court failed to disclose the cases submitted for decision in the Monthly Report of Cases and in the Semestral Docket Inventory Reports and require Branch Clerk of Court Pedrosa to likewise submit a separate explanation relative thereto;
9. Accomplish the Monthly Report of Cases and Semestral Docket Inventory Report completely and accurately pursuant to the guidelines set by the Court in Administrative Circular No. 4-2004 dated 4 February 2004 and Administrative Circular No. 76-2007 dated 31 August 2007, respectively; and
10. Submit, as proof of compliance to numbers 1 to 5 and 9 above, copies of the pertinent decisions and orders and the December 2014 Monthly Report of Cases and 2nd Semestral 2014 Docket Inventory Report on or before 15 April 2015.

In compliance with the Memorandum dated 20 January 2015, Judge Legazpi submitted a written explanation dated 2 March 2015 relative to his failure to decide the cases within the reglementary period, his failure to request for extension to decide the same and his failure to disclose said cases submitted for decision in the monthly report of cases and in the semestral docket inventory report.

Judge Legazpi stated that when he assumed office in August 2007, there were numerous cases already submitted for decision during the time of his predecessors and cases that have been pending trial for more than five years. He tried to remedy the situation by improving the court's trial calendar system by providing each party with a definite number of trial dates on which to conclude the case presentation, without allowing any postponements or even continuance of a witness' presentation except on meritorious grounds. The unintended consequences, according to Judge Legazpi, were that: (1) the number of cases calendared for hearing on each trial date increased; (2) he had to spend practically the whole day hearing cases; (3) the trial of the cases were expedited, terminated and the cases themselves had to be decided; and (4) the stenographers had to transcribe twice, if not thrice, as many of their notes than they previously did. As a result of the fast termination of the trial of many cases, Judge Legazpi had to decide them in addition to the cases which had already been submitted for decision prior to his assumption in office. To address this situation, Judge Legazpi decided to concentrate exclusively on the judicial aspect of the court's operations and left the administrative aspect to the Branch Clerk of Court and the clerks.

Another factor claimed by Judge Legazpi to have contributed to the piling of cases in his court were the vacancies in Branch 51 for five years and in Branch 52 for almost two years. He further stated that for a long period of time, only three branches were included in the raffle of cases. Moreover, Judge Legazpi's own court rarely had the benefit of a full office personnel. He had no clerk of court when he assumed office. His first two clerks of court stayed only for six months each, and at the time of filing

his compliance, he did not have a Branch Clerk of Court since the time the third one resigned in August 2014. In addition, he had no legal researcher since June 2014, and no clerk-in-charge of criminal cases since January 2014. Before the vacancies, he had to contend, for a year and a half, with only two stenographers, after the two others retired from the service in 2013. Before the two retirements, Judge Legazpi wrote to the Court in the third quarter of 2012, requesting the relaxation of the pertinent rule in order to start the search for replacements in advance. However, not only was the request not granted, it also took one and a half years to appoint the replacements. Thus, the two stenographers were more unable to cope with the transcription of their notes and had a huge backlog of unfinished transcription of stenographic notes. He added that in the second quarter of 2014 when he was informed of the resignation of the Branch Clerk of Court and the legal researcher, he requested the Court for the designation of an Assisting Judge but no action was made.

Judge Legazpi stated that not being in the habit of complaining, he plodded through the continuously piling up work and tried his best to perform his duties but the tremendous stress only exacerbated his diabetes and its many complications. Until December 2013, the surgical removal of his neck tumor had to be deferred for several years because his blood sugar and blood pressure would not normalize. Judge Legazpi explicated that he laid down the foregoing facts to present a fuller perspective of the whole circumstances surrounding his work environment. He begged the Court's understanding for his inability to decide the cases on time and for not double-checking the reports to ensure that the cases pending decision were reported properly. He lamented that as much as he wanted to continue in his work in the chance of bringing his performance up to par, his present state of health cannot provide the needed cooperation and thus, he expressed his sincerest apologies.

On 22 January 2015, Judge Legazpi filed a resignation letter effective 15 March 2015, due to health reasons. In the Agenda Report dated 21 April 2015, the Office of the Court Administrator (OCA) recommended the acceptance of his resignation, subject to the usual clearance requirements.

The OCA's Recommendation

In a Memorandum dated 13 November 2019, the OCA issued the following recommendations:

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1. The instant matter be re-docketed as a regular administrative matter;
2. Judge Leopolda Mario P. Legazpi, Presiding Judge, Branch 49, Regional Trial Court, Puerto Princesa City, Palawan, be found **GUILTY** of gross inefficiency and be **FINED** in the amount of Fifty Thousand Pesos (P50,000.00), to be deducted from his accrued leave credits, if sufficient, otherwise, he be **ORDERED** to pay the amount of the fine directly to the Court; and