

EN BANC

[A.M. NO. RTJ-04-1870 (FORMERLY A.M. NO. 04-7-388-RTC), July 09, 2007]

**OFFICE OF THE COURT ADMINISTRATOR (OCA), COMPLAINANT,
VS. JUDGE CRISPIN C. LARON, REGIONAL TRIAL COURT,
BRANCH 44, DAGUPAN CITY, RESPONDENT.**

RESOLUTION

TINGA, J.:

This administrative matter arose from several judicial audits and physical inventories of cases conducted by the Office of the Court Administrator (OCA) in the Regional Trial Court (RTC), Branch 44, Dagupan City, presided over by respondent Judge Crispin Laron.

The first judicial audit was conducted in 1996 by a team headed by then Senior Deputy Court Administrator Reynaldo L. Suarez. The 1996 Audit Report^[1] showed that 369 cases, comprising 147 criminal and 222 civil, were audited. Of the records actually examined, 37 were deemed submitted for decision, 17 of which were beyond the 90-day reglementary period within which a judge must decide a case. There were also 26 cases submitted for resolution, 19 of which were beyond the prescribed period within which they must be resolved. Likewise, 14 cases with motions unresolved beyond the 90-day prescribed period were noted and 15 cases have had no further proceedings for a considerable length of time. Meanwhile, 188 cases which were included in the branch's Docket Inventory were not presented to the team.^[2]

On 21 January 1997, the Court en banc issued a Resolution directing respondent to:

(a) resolve the pending Motions/Incidents that will determine final disposition of cases which are likewise beyond the 90-day reglementary period; (b) resolve, if he has not yet done so, the pending Motions in the following cases which are already beyond the 15-day period, to wit: Criminal Cases Nos. 96-01310, 96-013311, 96-01348, 94-00263, 94-00264, 96-01308 and Civil Cases Nos. 00376, and D-9895; (c) inform this Court whether or not Decisions in Criminal Cases Nos. D-8335, D-8336, x x x D-10606, D-10607 and D-10611 were promulgated as scheduled and to submit proof of such compliance; and (d) explain in writing also within the same period why no disciplinary action should be taken against him for his failure to decide/resolve cases/motions within the prescribed period.^[3]

A second judicial audit, this time headed by the Hon. Narciso T. Atienza, was conducted in the same branch sometime in 2000 at the request of Mr. Restituto Basa, author-publisher of "The Pangasinan Leaders," in view of the complaints of

some legal practitioners on the unreasonable delay in the resolution of cases in said court.^[4]

The 2000 Audit Report^[5] revealed that 1,045 cases were audited. Of these cases, 70 were considered submitted for decision, 54 of which were beyond the 90-day reglementary period. There were also 123 cases with pending matters or incidents for resolution, and 101 cases had not been resolved despite the lapse of the reglementary period. In addition, 52 cases had no further action or setting in the court calendar despite the lapse of a considerable period of time and 22 cases were noted to have not been acted upon since the time of filing. ^[6]

A third audit was conducted in 2003, per request of a certain Claveria family in a letter to then Chief Justice Hilario G. Davide, Jr. for an investigation of the sala of Judge Laron that allegedly had cases pending for three or more years and which remained unresolved.

The 2003 Audit Report^[7] showed that 911 cases were audited consisting of 394 criminal cases and 517 civil cases. It was found that 110 cases were decided beyond the reglementary period and pending motions or incidents in 74 cases were likewise resolved beyond the period prescribed, 39 cases with pending motions or incidents for resolution remained unacted upon as of the time of the audit, 42 cases were acted upon after having been dormant for a considerable period of time, and there were a number of cases that had not been acted upon from the time of filing. Several cases that were included in the Docket Inventory were not presented to the audit team. The team also observed that respondent had been very lenient in granting postponements. It likewise observed that records were not kept orderly and the court did not submit the required monthly reports on time. The team then recommended that respondent be directed to:

(a) to EXPLAIN within fifteen (15) days from receipt why no administrative sanction be taken against him for deciding the following cases beyond the 90-day reglementary period: Criminal Cases Nos. D-6519, 97-01970, 01-0175, 01-0177, 00-0231, 00-0305, 00-0312, 00-0316, 10739, 02-0193, 02-0194, 02-0195, 00-0144, 00-0076, 01-0651, 01-0652, 01-0653, 02-0452, 94-00218, 04-0574, 01-0244, 00-0405, 00-0577, 01-0278, 01-0277, 94-00732, 02-0019, 02-0020, 02-0021, 02-0022, 02-0023, 02-0024, 02-0025, 02-0026, 02-0027, 02-0028, 02-0029, 02-0030, 02-0031, 02-0032, 02-0034, 02-0036, 02-0037, 02-0038, 02-0040, 02-0042, 02-0043, 02-0045, 02-0046, 00-234, 12225, 8686, 8687, D-6519, 00-0231, 00-0305 and 95-01025 and Civil Cases Nos. 98-012333, 0097, 01-0116, SP 02-0037, SP 00-0123, SP 00-136, SP 99-01603, SP 99-1065, SCA 98-02686, 98-02731, 98-02444, 99-02904, 01-0149, 86-8295, D-10809, 91-01005, 86-8131, 86-8118, SP 01-0104, 02-0003, 01-0070, LRC 00-2107, 10785, 00-0329, 82-6539, 6890, 96-01264, 98-02372, 10792, 98-02573, 00-0040, 99-02847, 98-02530, 94-00113, 92-10383, D-10190, 00-0294, D-10665, SCA 01-0011, 01-0031, 94-00238, D-6944, 83-7099, 98-00718, 94-00153, 95-00678, 96-00888, 99-3233, 98-2515, 96-1081, D-7095, 96-1041 and 95-548.

(b) to EXPLAIN within fifteen (15) days from receipt why no

administrative sanction be taken against him for resolving the pending incidents/motions in the following cases beyond the 90- day reglementary period: Criminal Cases Nos. 99-01771, 94-00726, 00-0133, 00-0479, 00-0440, 9763, 9764, 01-0016, 02-0101, 99-03002, 00-0536, 97-01951, 99-03207, 96-01237, 00-0359, 99-02739, 99-02498, 99-02497 and 01-0265, Civil Cases Nos. 99-03068, 99-03237, 0084, 01-0320, 01-0201, 95-0059, D-3040, 99-02974, 98-02832, 98-02454, 00-0239, 01-0166, 01-0091, D-10764, 97-01622, x x x D-9056, 00-0036, 96-01253, 98-02075, 97-01842, 96-01045, 9752, 98-02510, 99-03115, 99-02922, 95-00687, 02-0316, 97-01450, 00-0032, 99-02935, 10439, 10744, 97-01722, 96-00978, 98-02124, 95-00710, 99-02806, 98-02720, 98-02410, 98-02533, 00-0006, 00-0038, 98-00716, 97-00529, 94-00233, 97-01834, 99-03179, 99-03170, LRC D-2081, 96-00827, 98-02733, 99-3085, 96-1007, 99-3257 and 99-3131.

(c) to EXPLAIN within fifteen (15) days from receipt why no administrative sanction be taken against him (sic) for failure to DECIDE the following despite the lapse of the 90-day reglementary period: Criminal Cases Nos. 00-0140, 00-0475, 00-0476, 7020, 97-02019, and Civil Cases Nos. 0148, 00-0254, 01-0186, 02-0026, 95-00482, 02-0156, CAD 00-0060, CAD 02-0071, CAD 02-0062, 96-01163, D-10777 and to RESOLVE the motion or pending incidents in the following cases: Criminal Cases Nos. 01-0147, 02-0424, 00-0480, 02-0463, 02-0621, 02-0629, 02-0493, 00-0084 and 00-0085; and Civil Cases Nos. 01-0177, 01-0269, 00-0151, 01-0276, 02-0198, 02-0169, 02-0277, D-10027, 00-279, 01-0287, 00-0349, 02-0161, 02-0365, 96-00975, 99-03254, 99-03037, 98-02246, 99-8814, 02-0254, 01-0376, SP 1723, SP 97-00541, 01-23, 02-0313, 94-00271, 02-0208, 01-168, 02-103, 02-263 and 94-80.

(d) to DECIDE within thirty (30) days from receipt the following cases which remain undecided despite the lapse of the 90-day reglementary period: Criminal Cases Nos. 00-0140, 00-0475, 00-0476, 7020[,], 97-02019, and Civil Cases Nos. 0148, 00-0254, 01-0186, 02-0026, 95-00482, 02-0156, CAD 00-0060, CA 02-0071, CAD 02-0062, 96-01163, D-10777 and to FURNISH the Court of the copies of the said decision.

(e) to RESOLVE within thirty (30) days from receipt the motion or pending incidents in the following cases, which remain unresolved despite the lapse of the reglementary period: Criminal Cases Nos. 01-0147, 02-0424, 00-0480, 02-0463, 02-0621, 02-0629, 02-0493, 00-0084 and 00-0085; and Civil Cases Nos. 01-0177, 01-0269, 00-0151, 01-0276, 02-0198, 02-0169, 02-0277, D-10027, 00-0279, 01-0287, 00-0349, 02-0161, 02-365, 96-00975, 99-03254, 99-03037, 98-02246, 99-8814, 02-0254, 01-0376, SP 1723, SP 97-00541, 01-23, 02-0313, 94-00271, 02-0208, 01-168, 02-103, 02-263 and 94-80 and to FURNISH the Court of the copies of the said decision.

(f) to EXPLAIN within fifteen (15) days from receipt why no administrative sanction be taken against him for failure to act on the following cases which have no further action despite the lapse of a considerable length of time, to wit: Civil Cases Nos. 97-01627, 02-0048, 01-0129, 02-0279, 01-0107, 02-0079, 96-00993, 02-0135, 02-0006, 02-

0132, 02-0005, 02-0130, 02-0130, 01-0001, 00-0015, 00-0067, 99-00616, 99-03270, 97-01569, SP 02-0091, 97-1526, 95-00445, 01-0074, SP 02-71, CAD 02-53 and CAD 02-30.^[8]

The OCA then directed respondent to comply with the above-quoted recommendations in a Memorandum dated 10 November 2003.^[9] In compliance, respondent submitted his explanations in two letters^[10] dated 23 January 2004 and 9 February 2004 to which he appended copies of the decisions and orders in all the cases subject of the Memorandum of 10 November 2003.

Respondent primarily attributed the delay in deciding cases submitted for decision and in resolving motions to various medical ailments. He claimed that he was hospitalized from 26 February 2001 to 13 March 2001 for acute tonsillo-pharyngitis with severe hoarseness, esophagitis with partial obstruction, osteoarthritis lower extremities and lumbar area, severe migraine with dizziness and R/O diabetes mellitus. ^[11] Due to his medical condition that made walking and standing very difficult, he went on sick leave from 14 March 2001 to 29 April 2001, on 30 April 2001 and from 2 May 2001 to 4 May 2001.^[12] He argued however that he had already decided the subject cases, albeit beyond the reglementary period, and so there had been substantial compliance with the law.

Respondent also pointed to the frequent changes of branch clerks as a contributing factor to the delay in the disposition of cases. He averred that the court had had no branch clerk of court for several years since Atty. Juvy Fuentes, the former clerk of court, transferred to the Public Attorney's Office. Considering that he had been in the service for twenty-one (21) years, respondent prayed that he be allowed to continue in office for the remaining period of nine (9) months until his retirement on 19 November 2004.

In the Final Audit Report^[13] dated 2 July 2004, the OCA observed that respondent had been remiss in the performance of his duties as a presiding judge. Although he had substantially complied with what was incumbent upon him, by deciding all the cases submitted to him for decision and resolving pending motions, he did so beyond the period mandated by the Constitution. He likewise failed to ask the Court for an extension of time to decide said cases. The OCA also considered respondent's excuses as flimsy and insufficient to justify the delay. It then made the following recommendations, to wit:

In view of the foregoing, it is respectfully recommended that:

(a) this report be docketed as a regular administrative matter against Judge Laron for gross inefficiency; and

(b) Judge Crispin Laron, Presiding Judge of the Regional Trial Court, Branch 44, Dagupan City be **FINED** in the amount of P50,000.00 for his failure to decide 131 cases, resolve 105 pending motions and act on 67 cases which have been dormant for a long period of time payable directly to the court.^[14]

On 30 August 2004, the Court resolved to refer this administrative matter to Executive Judge Silverio Q. Castillo of the RTC, Dagupan City for investigation, report and recommendation.^[15] Judge Castillo, however, voluntarily inhibited himself from the investigation to avoid any suspicion of bias and prejudice since he was a Pairing Judge of respondent and the latter was also the godfather of his youngest son.^[16]

In its Agenda Report^[17] in the matter of the Order of Inhibition of Judge Castillo, the OCA observed that an investigation of the delay of several cases pending before respondent may no longer be needed considering that respondent had already retired from the service. It recommended that Judge Castillo's Order of Inhibition be noted and that respondent be immediately sanctioned with a fine of twenty thousand pesos (P20,000.00) for the delay already committed.

Upon this Court's directive^[18] for the parties to manifest their willingness to submit the case for decision based on the pleadings filed, respondent filed a Manifestation and Motion^[19] dated 22 March 2005 praying that he be first informed if his letters dated 23 January 2004 and 9 February 2004 were already attached to the records of the case. Respondent filed another Manifestation and Motion^[20] on 20 June 2005 praying that he be furnished copies of the charge, resolution, recommendation, pleadings and documents relative to the case and that he be granted a period of ten (10) days within which to file the required manifestation.

Finding that his letters were not attached to the records, this Court resolved to require the OCA to comment on respondent's manifestation and motion.^[21]

In its comment,^[22] the OCA explained that respondent's letters were not included in the records due to inadvertence when the same was forwarded to the Office of the Chief Justice on 3 January 2005. They are now attached to the records of this case. It reiterated its previous findings and recommendations and submitted the case for decision based on the pleadings.

We adopt the OCA's findings.

It bears stressing that the public's faith and confidence in the judicial system depends largely on the judicious and prompt disposition of cases and other matters pending before the courts.^[23] No less than the Constitution mandates all lower courts to decide or resolve cases or matters within three (3) months from their date of submission.^[24] Consequently, Rule 3.05, Canon 3 of the Code of Judicial Conduct, directs judges to "dispose of the court's business promptly and decide cases within the required periods."^[25] However, if a judge finds himself unable to comply with this 90-day requirement for deciding cases or matters, he can, for good reasons, ask for an extension and such request is generally granted.^[26]

Be that as it may, valid reasons that a judge may have for such delay like poor health, old age, heavy caseload, among others, do not totally absolve him from liability but only serve to mitigate the penalty.^[27]

In the instant case, respondent was obviously remiss in his duties as presiding judge. He admitted to failing to decide, resolve or act upon the cases mentioned in