

THIRD DIVISION

[A.M. NO. 04-9-512-RTC, December 13, 2005]

REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE RTC, BRANCH 18, TAGAYTAY CITY .

D E C I S I O N

SANDOVAL-GUTIERREZ, J.:

Prior to the compulsory retirement of Judge Alfonso S. Garcia as Presiding Judge of the Regional Trial Court, Branch 18, Tagaytay City, on December 18, 2003, this Court issued Administrative Order No. 80-2003, dated June 6, 2003, directing him to decide all cases submitted to him for decision and those he inherited from his predecessors. The Court likewise ordered a judicial audit and physical inventory of cases in his court.

After the audit team had submitted its report, the Office of the Court Administrator (OCA) issued a memorandum dated September 17, 2003 directing Judge Garcia (1) to explain within ten (10) days from notice why he failed to decide the ninety one (91) cases, civil and criminal, submitted to him for decision; (2) to decide the said ninety one (91) cases and resolve the pending motions in thirteen (13) civil cases before his retirement on December 8, 2003; and (3) to submit a copy of the decision/resolution issued in each of these cases to the Court Management Office (CMO), within ten (10) days from promulgation/rendition thereof.

On October 10, 2003, Judge Garcia submitted his compliance reporting that he had already resolved all the motions mentioned in the audit report. He also reported that he "practically decided all the cases submitted to him for decision," enumerating therein the forty-four (44) cases, civil and criminal, disposed of from the time he received a copy of Administrative Order No. 80-2003 on June 12, 2003. He further averred that a check of the cases and motions cited reveals that at least six cases (TG-1122, TG-2247, TG-2148, TG-1461, TG-1966 and TG-2127) appeared to have been typewritten twice.

On October 20, 2003, the Court issued Administrative Order No. 140, 2003 amending Administrative Order No. 80-2003 directing Judge Garcia "to cease and desist from trying cases thereat and devote his time in deciding all cases submitted to him for decision and before his predecessors and resolving all pending motions and incidents before him for resolution and before his predecessors, until his compulsory retirement on 08 December 2003."

On September 10, 2004, on the basis of Judge's Garcia's compliance dated October 10, 2003, the OCA submitted the following report:

"A close reading of the compliance of Judge Garcia disclosed that as he correctly observed, at least six (6) cases were typewritten twice. Four of these cases (Civil Cases Nos. TG-1122, TG-2247, TG-2148 and TG-1461)

were included in the list of cases submitted for decision while the other two (2) civil cases (Civil Cases Nos. TG-1966 and TG-2177) were included in the list of cases with motion for resolution; thus reducing the number of cases submitted for decision from ninety-one (91) to eighty-seven (87) and the number of cases with pending motions for resolution from thirteen (13) to eleven (11). Of these eighty-seven (87) cases, sixty-two (62) cases (9 criminal and 53 civil cases) were submitted for decision before Judge Garcia, forty-three (43) of which were still within the reglementary period and only nineteen (19) cases were beyond the 90-day period to resolve. Thus, a total of forty-eight (48) cases submitted for decision were already beyond the reglementary period, nineteen (19) of which were submitted before Judge Garcia and twenty-five (25) inherited cases.

From the copy of the resolutions submitted by Judge Garcia, revealed that he has indeed resolved all pending motions. Likewise, he decided fifty-two (52) cases out of sixty-two (62) cases submitted to him for decision, leaving unresolved only ten (10) cases submitted to him for decision. These are Civil Cases Nos. Sp. Proc. TG-1938, TG-808, TG-617, TG-2199, TG-2293, TG-2128 and Criminal Case No. TG-3109-99.

Reviewing the monthly report of cases submitted to the Statistical Reports Division, this Office, for the month of September 2003 and December 2003, disclosed that Judge Garcia failed to resolve the aforesaid ten (10) cases submitted to him for decision and the seven (7) cases submitted for decision before his predecessors despite the previous directives to him incorporated in Administrative Order No. 80-2003, dated 6 June 2003 and in the memorandum dated 17 September 2003. Aside from the cases actually examined by the Team found to be submitted for decision before Judge Garcia's predecessors, there are still seven (7) cases submitted for decision before Judge Teodoro Bonifacio (ret.) and the late Judge Julieta Tabiolo. These cases are: TG-341, TG-342, TG-343, TG-518, TG-1056, TG-1070 and TG-1215."

In sum, it appears that when Judge Garcia retired on December 18, 2003, he left unresolved ten (10) cases submitted to him for decision and a total of fourteen (14) cases he inherited from his predecessors.

The OCA recommended that Judge Garcia be imposed a fine of P11,000.00, to be deducted from his retirement benefits.

We have held that the noble office of a judge is to render justice, not only impartially but expeditiously as well, for delay in the disposition of cases erodes the faith and confidence of our people in the judiciary, lowers its standards and brings it into disrepute. Thus, Canon 3, Rule 3.05 of the Code of Judicial Conduct requires judges to dispose of the court's business promptly and decide cases within the period specified in Section 15, Article VIII of the Constitution, that is, three months from the filing of the last pleading, brief or memorandum.^[1] Their failure to do so constitutes gross inefficiency and warrants the imposition of administrative sanctions against them.^[2]

To ensure that the mandates on the prompt disposition of judicial business are