

SECOND DIVISION

[A.M. No. RTJ-00-1606, June 20, 2001]

**PATRIA MAQUIRAN, COMPLAINANT, VS. JUDGE LILIA C. LOPEZ,
REGIONAL TRIAL COURT, BRANCH 109, PASAY CITY,
RESPONDENT.**

D E C I S I O N

MENDOZA, J.:

This is an administrative complaint for gross negligence filed by Patria Maquiran against Judge Lilia C. Lopez of the Regional Trial Court, Branch 109, Pasay City.

It appears that on August 31, 1990, complainant Patria Maquiran filed a suit for damages, docketed as Civil Case No. 7548, arising from the death of her husband due to an accident. The case, entitled "*Heirs of Pablo Maquiran and Jean Castillo v. Manila Aero Transport System, Inc., Captain Anastacio Maravilla and Maria Babilonia So,*" was assigned to respondent judge. The case was submitted for decision in August 1994 after the parties had submitted their memoranda. On March 25, 1996, counsel for complainant moved for the resolution of the case.^[1] However, up to the time the complaint in this case was filed on September 16, 1999, no decision had as yet been rendered by respondent judge.

In her comment, dated January 10, 2000, respondent judge claimed that she had finally decided the case and given copies of the decision to the parties. She explained that during the almost five years that the case was pending decision, many things had happened to her: that she was confined in the hospital and was scheduled for an operation for the removal of a mass in her uterus, but for her extremely high blood pressure; that her parents died and she was left with the responsibility of having to take care of her retarded sister and a brother who was suffering from a nervous breakdown; that as Executive Judge, she was given additional administrative duties; and that she had to conduct continuous hearings by reason of the designation of her court as a Special Criminal Court.

The Office of the Court Administrator found respondent administratively liable and recommended that she be ordered to pay a fine of P4,000.00 for inefficiency with a stern warning that a repetition of the same or similar act shall be dealt with more severely.

Except as to the penalty recommended, we find the report of the OCA well taken.

Under Art. VIII, §15(1) of the Constitution, lower courts have three months within which to decide cases or resolve matters submitted to them for resolution. Canon 3, Rule 3.05 of the Code of Judicial Conduct enjoins judges to dispose of their business promptly and decide cases within the required period. Indeed, this Court has constantly impressed upon judges ³/₄ may it not be said without success ³/₄ the need

to decide cases promptly and expeditiously, for it cannot be gainsaid that justice delayed is justice denied. For delay in the disposition of cases undermines the people's faith and confidence in the judiciary. Hence, failure of judges to render judgment within the required period constitutes gross inefficiency warranting the imposition of administrative sanctions on them.^[2]

This is not the first time respondent judge is being sanctioned for failure to decide a case within the time for doing so. In *Dizon v. Lopez*,^[3] she was found guilty of delay in the decision of a case and inefficiency, thus:

Judge Lopez claims that on April 22, 1993, when the judgment was promulgated with the reading of the dispositive portion, her decision was already prepared, although to prevent leakage in the process of preparing it, she withheld its dispositive portion until the day of its promulgation. Respondent judge states that after the dispositive portion had been read to complainant, respondent gave it to Ma. Cleotilde Paulo (Social Worker II, presently OIC of Branch 109) for typing and incorporation into the text of the decision. The court found complainant guilty beyond reasonable doubt of falsification of private document under Art. 172, par 2 of the Revised Penal Code. Respondent states that the delay in furnishing complainant with a copy of the decision was unintentional.

Respondent judge referred to difficulties she had in preparing her decision and to a series of personal problems which contributed to this delay in the release of her decision, to wit: she has only two (2) stenographers to attend to daily trials in her court, making it necessary for her to make use of the Social Worker assigned to her to type her decisions. During the period January to December 1993, she had to dispose of 285 cases, apart from the fact that there was an unusually big number of criminal, civil, and land registration cases as well as special proceedings filed in her court which required the holding of hearings in the mornings and in the afternoons. During the same period, she went through some personal tragedies. She lost her niece, Gloria Lopez Roque, whom she had raised from childhood, due to a hospital accident. This was followed by the death on March 1, 1992 of her mother, Margarita Lopez, who had been under respondent's care for the past eight years after suffering a stroke. On September 17, 1993, respondent's father died of diabetes, a renal failure, pneumonia, and cardiac arrest. Respondent was the one who single-handedly brought them in and out of the hospital because all her able-bodied relatives are abroad. Respondent herself was found to be suffering from diabetes and hypertension, necessitating her treatment and leave of absence from September 27, 1994 to December 12, 1994, in addition to her other leaves of absence. Aside from these, respondent's family suffered financial reverses because of estafa committed against them.^[4]

Considering that the case was respondent's first one and that her failure to decide the case on time was occasioned by the death of her parents, financial reverses of the family, and respondent's poor health ¾ factors which this Court considered