

EN BANC

[A.M. No. 97-8-262-RTC, November 27, 1998]

RE: REPORT ON THE JUDICIAL AUDIT OF CASES IN THE REGIONAL TRIAL COURT, BRANCH 35, IRIGA CITY

D E C I S I O N

MENDOZA, J.:

In view of the report, dated July 1, 1997,^[1] submitted by a Judicial Audit Team, the Court required Judge Reno R. Gonzales of the Regional Trial Court, Branch 35, at Iriga City, to comment on allegations in the report that he failed (1) to decide three (3) civil cases (Civil Cases Nos. 2080, 2686, and 2532) within three (3) months from the time they had been submitted to him for decision; (2) to act, for an unreasonable period of time, on eight (8) other cases (Civil Cases Nos. 2756, 2824, 2553, and 1865, Land Registration Cases Nos. 215, 212, and 211, and Special Proceeding No. 1402); and (3) to archive ten (10) criminal cases (Criminal Cases Nos. 4182, 4185, 4221, 4222, 4223, 4104, 4107, 4167, 4231, and 4233).

Judge Gonzales retired on the day the report was submitted (July 1, 1997), and in his place, Judge Martin P. Badong, Jr. of the Regional Trial Court, Branch 31, in Pili Camarines Sur was designated. However, as required by this Court, he submitted his explanation,^[2] dated October 27, 1997. Regarding the cases which he allegedly failed to decide on time, Judge Gonzales did not mention Civil Case No. 2080 at all, attributed the late disposition of Civil Case No. 2686 to his designation as Acting Presiding Judge of two other salas in 1993 and 1995, and claimed that the date Civil Case No. 2532 was submitted for decision could not be ascertained from the records.^[3]

With respect to the cases on which he allegedly failed to act for an unreasonable period of time, Judge Gonzales claimed (1) that Civil Case No. 2756 had been consolidated with Civil Case No. 2686, and the two cases were decided on July 4, 1997; (2) that Civil Case No. 2824 was inadvertently omitted from the calendar from December 18, 1996 to July 31, 1997; (3) that Civil Case No. 2553 had not been progressing because the parties had apparently lost interest; (4) that Civil Case No. 1865 had already been decided on August 18, 1997; (5) that no progress had been made in Land Registration Cases Nos. 215, 212, and 211 because the Land Management Bureau had not submitted the reports required by the court; and (6) that Special Proceeding No. 1402 had been dismissed without prejudice for failure of the petitioner to submit certified true copies of the subject certificate of title as directed by the court.^[4]

As for the criminal cases which he allegedly failed to have archived, Judge Gonzales explained that the delay was due to the fact that the Clerk of Court had to undergo surgery for renal cyst.^[5]

This matter was referred to the office of the Court Administrator which, on February 28, 1998, submitted a report^[6] finding Judge Gonzales to be administratively liable and recommending that he be fined in the amount of P20,000.00 for failure to timely decide, act on, or archive the cases mentioned above.

Art. VIII, §15(1) of the Constitution states:

All cases or matters filed after the effectivity of this Constitution must be decided or resolved within twenty four months from date of submission for the Supreme Court, and unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three months for all other lower courts.

To implement the constitutional mandate, Canon 3, Rule 3.05 of the Code of Judicial Conduct provides:

A judge shall dispose of the court's business promptly and decide cases within the required periods.

As this Court has stated:^[7]

This Court has constantly impressed upon judges - may it not be said without success - the need to decide cases promptly and expeditiously, for it cannot be gainsaid that justice delayed is justice denied. Delay in the disposition of cases undermines the people's faith and confidence in the judiciary. Hence, judges are enjoined to decide cases with dispatch. Their failure to do so constitutes gross inefficiency and warrants the imposition of administrative sanction on them.

In the instant case, Judge Gonzales did not give a satisfactory reason for his failure to decide Civil Cases Nos. 2080, 2686, and 2532 within three (3) months from the dates the same were submitted for decision as required by §5 of the Judiciary Act of 1948 and Art. VIII, §15(1) of the Constitution. He omitted any mention of Civil Case No. 2080 in his explanation, dated October 27, 1997. The reason he gave for the delay in deciding Civil case no. 2686. i.e. that he was designated acting presiding judge of two other salas in 1993 and 1995, is insufficient to justify the same since he could have asked for an extension of the period within which to decide it. Finally his claim that the date Civil Case No. 2532 was submitted for decision could not be ascertained from the records is totally unacceptable since the court keeps logbooks from which the status of cases could easily be verified.

On the prompt resolution of cases, Art. III, §16 of the Constitution states:

All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

Canon 3, Rule 3.09 of the Code of Judicial Conduct provides:

A judge should organize and supervise the court personnel to ensure the prompt and efficient dispatch of business and require at all times the observance of high standards of public service and fidelity.