



PHILJA E-Alerts

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RTC Judges:

Undue Delay in Issuing Orders in Several Cases and Undue Delay in Transmitting the Records of a Case.

With regard, however, to the delay in the resolution of pending motions for inhibition within the prescribed period, records are bereft of evidence to show that respondent filed any request for an extension of time within which to resolve them, which the Court could have granted. As such, even if the Court were to accept her excuse that her combined caseload in RTC-Alaminos City, as well as in RTC-Burgos, the courts where she was concurrently presiding, was indeed heavy, she could have requested an extension of time within which to decide and dispose of pending cases and justified the same. The Court is not unmindful of the circumstances that may delay the speedy disposition of cases assigned to judges, thus, the Court allows extensions of time within which pending cases may be disposed of, upon a seasonable filing of a request therefor and sufficient justification. For failing to do so, respondent cannot evade administrative liability.

The rules and jurisprudence are clear on the matter of delay. Failure to decide cases and other matters within the reglementary period constitutes gross inefficiency and warrants the imposition of administrative sanction against the erring magistrate. Judges must decide cases and resolve matters with dispatch because any delay in the administration of justice deprives litigants of their right to a speedy disposition of their case and undermines the people's faith in the judiciary. Indeed, justice delayed is justice denied.

For Undue Delay in Issuing Orders in Several Cases and Undue Delay in Transmitting the Records of a Case, respondent judge was meted with the penalty of suspension without salary and other benefits for not less than one (1) nor more than three (3) months; or a fine of more than P10,000 but not exceeding P20,000. **(A.M. No. RTJ-15-2408 [Formerly OCA IPI No. 13-4134-RTJ], March 2, 2016)**

Dishonesty

“Civil service rules mandate the accomplishment of the PDS as a requirement for employment in the government.” “It is the repository of all information about any government employee and official regarding his personal background, qualification, and eligibility.” “Considering that truthful completion of [PDS] is a requirement for employment in the Judiciary, the importance of answering the same with candor need not be gainsaid.”

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Undoubtedly, the finding of the OMB against respondent judge for simple misconduct in OMB-ADM-1-94-1040 is considered an administrative offense, which he should have declared in his PDS when he was asked: "Have you ever been convicted of any administrative offense?"

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A careful perusal of the wording of the question "Have you ever been charged?" would show that it solicits an answer that pertains to either past or present charge, whether it was already dismissed or not. Respondent judge should have known fully well the consequences of making a false statement in his PDS. Being a former public prosecutor and a judge now, it is his duty to ensure that all the laws and rules of the land are followed to the letter. His being a judge makes the act all the more unacceptable. Clearly, there was an obvious lack of integrity, the most fundamental qualification of a member of the Judiciary.

Finding respondent judge guilty of Dishonesty, and taking into account his more than 30 years of government service, and that this is his first offense as a member of the bench, the Court finds the imposition of suspension of one (1) year without pay to be proper under the circumstances. **(A.M. No. RTJ-16-2452 March 9, 2016)**

Gross Inefficiency

Anent the delay in the resolution of the complainants' motion for reconsideration, we find that the respondent judge was guilty thereof. We remind that decision-making is primordial among the many duties of judges. The speedy disposition of cases thus becomes the primary aim of the Judiciary, for only thereby may the ends of justice not be compromised and the Judiciary may be true to its commitment of ensuring to all persons the right to a speedy, impartial and public trial. To pursue this aim, the Court, through the *Rules of Court* and other issuances, has fixed reglementary periods for acting on cases and matters. In respect of decisions, judges are given 90 days from the time the cases are submitted for determination within which to render their judgments. Also, Rule 3.05 of Canon 3 of the *Code of Judicial Conduct* admonishes all judges to promptly dispose of the court's business and to decide cases within the required periods. Failure to render a decision within the 90-day period from the submission of a case for decision is detrimental to the honor and integrity of the judicial office, and constitutes a derogation of the speedy administration of justice. Accordingly, any judge who delays the disposition of any case or matter beyond the prescribed period without the Court's express clearance is liable for gross inefficiency and must be administratively sanctioned.

Finding respondent judge guilty of gross inefficiency for his undue delay in resolving the pending motion for reconsideration, he was fined in the amount of P45,000 with a warning that a similar infraction in the future will be dealt with more severely. **(A.M. No. RTJ-11-2275, March 8, 2016)**