



Supreme Court of the Philippines Philippine Judicial Academy



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Judges: Gross ignorance of the law

It is the Housing and Land Use Regulatory Board (HLURB) that has jurisdiction over disputes involving membership, officers, meetings, and election of members of the Board of Directors of homeowners association – not the courts.

Matters of jurisdiction is an elementary principle that judges should be knowledgeable of – not to be aware of it constitutes gross ignorance of the law.

Respondent judge did not have the judicial authority to hear and decide the issues involved in Civil Case No. 2003-433 for want of jurisdiction because they refer to lack of quorum during the meeting of complainants' homeowners association.

For gross ignorance of the law, respondent judge was fined P40,000.00. **(A.M. No. RTJ-07-2078, October 12, 2010)**

Judges: Undue delay in deciding a case

The Supreme Court in *Re: Report on the Judicial Audit Conducted in the Regional Trial Court, Branches 4 and 23, Manila, and Metropolitan Trial Court, Branch 14, Manila, 353 Phil, 199, 218 (1998)* stressed that:

The suffering endured by just one person - whether plaintiff, defendant or accused – while awaiting a judgment that may affect his life, honor, liberty and property, taints the entire judiciary's performance in its solemn task of administering justice. Inefficient, indolent or neglectful judges are as equally impermissible in the judiciary as the incompetent and dishonest ones. Any of them tarnishes the image of the judiciary or brings it to contempt, dishonor or disrespect and must then be administratively dealt with or criminally prosecuted, if warranted, and punished accordingly.

Respondent judge's reason for the delay in resolving Criminal Case No. 4173-41-76, i.e. complainant's insistence on being represented by a PAO lawyer is not acceptable because it is his duty to ascertain that complainant was properly represented during trial and if not, to appoint a counsel de officio.

A judge should at all times remain in full control of the proceedings in his sala. Court management is his responsibility.

For undue delay in resolving a case, respondent judge was fined P10,000.00 to be deducted from his retirement benefits. **(A.M. No. MTJ-101754, October 20, 2010)**

Sheriff and Interpreter: Simple misconduct

In *Quiroz vs. Orfila, 338 Phil. 828 (1997)* the Court admonished that shouting at each other within the court premises exhibits discourtesy and disrespect not only towards co-workers but to the court as well; and in *Casanova, Jr. vs. Cajayon, 448 Phil. 573 (2003)*, the Court also stressed that any fighting or misunderstanding among court employees is a disgraceful sight reflecting adversely on the good image of the judiciary. Professionalism, respect for the rights of others, good manners, and right conduct are expected of all judicial officers and employees.

While the behavior of both respondents may be considered normal as both got irritated due to a misunderstanding, yet their conduct is disgraceful especially so because it was done during office hours and right there in the courtroom in the presence of their co-workers.

For simple misconduct, both respondents were fined P1,000 each and sternly warned. **(A.M. No. P-08-2487 and A.M. No. P-08-2493, September 29, 2010)**

Court Stenographer; Grave misconduct

Soliciting money from party-litigants purportedly “for fiscal and judge” and “for warrant officer” is a common modus operandi of some court employees who prefer to walk the crooked path.

Respondent stenographer did just that to complainant – soliciting P20,000 purportedly to facilitate the latter’s case pending in their court

Respondent resigned a month after the complaint against her was filed thinking perhaps that she could escape responsibility. She was mistaken. The Supreme Court in a line of cases declared that resignation is not and should not be a convenient way or strategy to evade administrative liability when a court employee is facing administrative sanction.

For grave misconduct, the respondent’s retirement benefits, except accrued leave credits, were declared forfeited. Also, her Civil Service eligibility was cancelled. **(A.M. No. P-10-2785, September 21, 2010)**

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