



Supreme Court of the Philippines Philippine Judicial Academy



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Judges: Judicial Clemency

In A.m. No. 07-7-17*SC (Re: Letter of Judge Augustus C. Diaz, Metropolitan Trial Court of Quezon City, Branch 37, Appealing for Clemency), the Supreme Court laid down the following guidelines in resolving requests for judicial clemency:

“1. There must be proof of remorse and reformation. These shall include but should not be limited to certifications or testimonials of the officer(s) or chapter(s) of the Integrated Bar of the Philippines, judges or judges associations and prominent members of the community with proven integrity and probity. A subsequent finding of guilt in an administrative case for the same or similar conduct will give rise to a strong presumption of non-reformation.

2. Sufficient time must have lapsed from the imposition of the penalty to ensure a period of reform.

3. The age of the person asking for clemency must show that he still has productive years ahead of him that can be put to good use by giving him a chance to redeem himself.

4. There must be a showing of promise (such as intellectual aptitude, learning or legal acumen or contribution to legal scholarship and the development of the legal system or administrative and other relevant skills), as well as potential for public service.

There must be other relevant factors and circumstances that may justify clemency (Citation omitted)

Applying said guidelines in the case of petitioner judge who was dismissed from the service, the Court finds merit in his prayer for judicial clemency.

The records show that after his dismissal from the service, petitioner engaged in private practice and most of his cases involved poor litigants, neighbors and close friends. The court also took into consideration the many years that had elapsed from the time of his dismissal and recognized petitioner’s dedication, citations and contributions to the legal profession and to the judiciary prior to his dismissal from the service.

Petitioner has sufficiently shown his remorse and reformation after his dismissal from the service meriting the Court’s liberality.

In view of all the foregoing petitioner was granted judicial clemency, lifting the ban against his disqualification from re-employment in the government including government owned or controlled corporation. **(A. M. No. RTJ-96-1336, November 20, 2012)**

Judges: Undue delay in rendering an order

Judges must decide cases and resolve matters with dispatch because any delay in the administration of justice deprives litigants of the rights to a speedy disposition of their cases and undermines the people's faith in the judiciary.

Respondent judge's undue delay in resolving complainant's motion for reconsideration violated the provision of the 1987 Constitution mandating the resolution of all cases within 90 days from date of submission.

For undue delay in rendering an order, respondent judge was fined P2,000.00 and sternly warned. **(A.M. No. RTJ-12-2334, November 14, 2012)**

Judges: Conduct prejudicial to the best interest of the service

Section 1, Canon 4 of the New Code of judicial conduct provides that judges shall avoid impropriety and the appearance of impropriety in all of their activities.

Respondent judge's actuations in conducting an ocular inspection without notice to nor the presence of the parties was highly improper. It diminished public confidence in the integrity and impartiality of the judiciary. It also constitutes conduct prejudicial to the best interest of the service in violation of Canon 4 of the New code of Judicial Conduct for the Philippine Judiciary.

For conduct prejudicial to the best interest of the service, respondent judge was fined P30,000.00 and sternly warned. **(A.M. No. MTJ-10-1772, December 5, 2012)**

Philippine Judicial Academy

Chancellor
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Head, Research, Publication and Linkages Office (RPLO)
Prof. Sedfrey M. Candelaria

Editors
Dean Eulogia M. Cueva *Atty. Orlando B. Cariño*

Staff
Nennette G. Zaldivar *Rodrigo G. Javier*

The *PHILJA Fax/Electronic Alerts* is issued monthly by the RPLO of the Philippine Judicial Academy with offices at the 3rd Floor of the Supreme Court Centennial Building, Taft Avenue, Manila. Tel. No. (02)552-9518; Telefax; (02)552-9621, E-mail address: research_philja@yahoo.com. For link to e-library: www.supremecourt.gov.ph.

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