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WHEREFORE, Judge Agustin T. Sardido is hereby *REPRIMANDED* with the warning that a repetition of the same or similar acts in the future will be dealt with more severely.

SO ORDERED.

Davide, Jr., C.J. (Chairman), Puno, Pardo, and *Ynares-Santiago, JJ.,* concur.

FIRST DIVISION

[A.M. No. 01-3-64-MTC. December 5, 2001]

IN RE: NOTICE ISSUED BY JUDGE AGAPITO K. LAOAGAN, JR., MTC, LA TRINIDAD, BENGUET SUSPENDING THE HEARING OF CASES IN HIS COURT

SYNOPSIS

In preparation to the assumption of office as Regional Hearing Officer of NCIP-CAR but prior to his request for permission for an authority to transfer from the Chief Justice, Judge Agapito Laoagan, Jr. issued, without authority, a notice suspending all trials and hearings of cases in his *sala* until the designation of an acting judge except for promulgation of judgments, hearings pertaining to provisional remedies and criminal cases involving detention prisoners. A copy of said notice of suspension was sent by Executive Judge Nelsonida Marrero to the Office of the Chief Justice, which was eventually forwarded to the Office of the Court Administrator (OCA). The OCA required Judge Laoagan to explain the unauthorized suspension of trials and hearings of cases pending before his *sala.* After Judge Laoagan filed his answer, the Court Administrator found him to be administratively liable.

The Court adopted the recommendation of the Court Administrator. It cannot be overemphasized that judges have the

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sworn duty to administer justice without delay for "delay in the disposition of cases erodes the faith and confidence of our people in the judiciary; lowers its standards and brings it into disrepute." However, as pointed out by the OCA, Judge Laoagan's liability was mitigated by his not being totally remiss in his duties as he continued trials and hearings on provisional remedies, criminal cases involving detention prisoners and promulgation of judgments. Judge Laoagan, Jr. was ordered to pay a fine of Two Thousand Pesos (₱2,000.00).

SYLLABUS

1. **LEGAL AND JUDICIAL ETHICS; CODE OF JUDICIAL CONDUCT; JUDGES HAVE THE SWORN DUTY TO ADMINISTER JUSTICE WITHOUT DELAY.**— It cannot be overemphasized that judges have the sworn duty to administer justice without delay for "delay in the disposition of cases erodes the faith and confidence of our people in the judiciary; lowers its standards and brings it into disrepute."

2. **ID.; ID.; ID.;JUDGES OUGHT NOT TO WASTE ONE MOMENT OF THE LITIGANT'S TIME.**— Just as litigants have the duty not to waste the precious time of the court, judges likewise ought not to waste one moment of the litigants' time. The less time the litigants spend in pending court cases, the more productive they can become in their other pursuits. Speedy dispensation of justice not only builds the faith and confidence of the people in the judiciary, but also catalyzes progress.

3. **ID.; ADMINISTRATIVE CHARGES AGAINST JUDGES; DELAY AND NEGLECT OF DUTY; COMMITTED BY A JUDGE WHO SUSPENDED HEARING OF CASES IN HIS *SALA* WITHOUT ANY AUTHORITY; CASE AT BAR.**— Respondent judge's precipitate suspension of trials and hearings in his *sala* prior to his request for permission from the Chief Justice for an authority to transfer to the NCIP unduly delayed the dispensation of justice in his court. As a judge, respondent should have exercised more prudence and should have given an allowance of time for the processing of his request which he belatedly filed on January 10, 2001 or eight days after he issued the suspension notice on January 2, 2001. We also note that as early as March 1, 2001, respondent judge already learned that his transfer to the NCIP was covered by the election ban, thereby postponing it until after

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the May 2001 elections. He, however, resumed full court sessions only on April 1, 2001, or one month thereafter, when he could have resumed full court sessions immediately after March 1, 2001. In light of these circumstances, we find that respondent judge should be held administratively liable.

4. **ID.; ID.; ID.; ID.; LIABILITY MITIGATED BY NOT BEING TOTALLY REMISS IN HIS DUTIES.**— However, as pointed out by the OCA, his liability is mitigated by his not being totally remiss in his duties as he continued trials and hearings on provisional remedies, criminal cases involving detention prisoners and promulgation of judgments.

5. **ID.; ID.; ID.; ID.; PENALTY.**— Judge Agapito K. Laoagan, Jr., Presiding Judge of Municipal Trial Court, La Trinidad, Benguet is held administratively liable for delay and neglect of duty and is hereby ordered to pay a FINE in the amount of TWO THOUSAND PESOS (₱2,000.00).

RESOLUTION

PUNO, *J.*:

Just as litigants have the duty not to waste the precious time of the court, judges likewise ought not to waste one moment of the litigants' time. The less time the litigants spend in pending court cases, the more productive they can become in their other pursuits. Speedy dispensation of justice not only builds the faith and confidence of the people in the judiciary, but also catalyzes progress.

On January 2, 2001, Judge Agapito Laoagan, Jr. issued, without authority, a notice suspending the hearing of cases in his court. His notice of suspension read, *viz*:

"To all lawyers and litigants:

All trials and hearings are hereby suspended in this court, except promulgation of judgments and those pertaining to provisional remedies and criminal cases involving detention prisoners, until the designation of an acting judge.

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The undersigned will dispose off (sic) cases already submitted for judgment in preparation to his assumption of office as Attorney VI and Regional Hearing Officer of NCIP-CAR.

(Sgd.) AGAPITO K. LAOAGAN, JR.
MTC Judge"

A copy of the notice of suspension was sent by the Executive Judge of the Regional Trial Court of Benguet, Judge Nelsonida Marrero, to the Office of the Chief Justice (OCJ). On February 28, 2001, the OCJ, in its *1st Indorsement*, referred the matter to the Office of the Court Administrator (OCA) for appropriate action. The OCA recommended that Judge Laoagan, Jr. be required to explain why he should not be held administratively liable for his unauthorized suspension of the trials and hearings of cases pending before his court. On April 2, 2001, the Court resolved to adopt this recommendation of the OCA.

Judge Laoagan submitted his explanation dated May 5, 2001, *viz*:

"1. On December 23, 2000, I received an Appointment as Regional Hearing Officer of the National Commission on Indigenous Peoples (NCIP) from the Chairman of NCIP-CAR dated December 1, 2000, attached as Annex 'A';

2. On January 2, 2001, presuming that I can easily secure an Authority to Transfer from the Chief Justice, I unilaterally suspended trials and hearings except that of provisional remedies, criminal cases involving detention prisoners and promulgation of judgments because as of December 31, 2000, *many civil and criminal cases were due for judgment and I wanted to dispose them off (sic) before I transferred to the NCIP;*

3. On January 10, 2001, I wrote the Hon. Chief Justice a request for the issuance of a Permission to Transfer. The request was granted on February 5, 2001, but I was furnished a copy only on February 23, 2001. A copy of said transfer is attached as Annex 'B';

4. On February 26, 2001, I wrote my Executive Judge, Judge Nelsonida Marrero, a letter informing her of my Authority to Transfer and requested her to designate an Acting Judge for my court effective March 1, 2001, to avoid a hiatus in the operation of my court, a copy of which is attached as Annex 'C'. Instead of designating an Acting Judge,

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she sent a copy of my Notice of Suspension to the Chief Justice, thus this administrative case;

5. When I was about to transfer to the NCIP-CAR on March 1, 2001, I found out that my transfer is covered by the election ban. In view thereof, I plan to transfer only after the election, with your permission;

6. I resumed full court sessions on April 1, 2001.

In view hereof, I am planning to transfer after the election, with your permission.

If ever I committed an administrative wrong I beg for your understanding. Nonetheless, I am wiling (sic) to accept any penalty commensurate to my acts."[1]

The OCA found Judge Laoagan administratively liable and recommended, *viz*:

"IN VIEW OF THE FOREGOING, it is respectfully submitted for the consideration of the Honorable Court with the recommendation that a FINE in the amount of TWO THOUSAND (₱2,000.00) Pesos be imposed against Hon. Agapito K. Laoagan, Jr., Presiding Judge of Municipal Trial Court, La Trinidad, Benguet."

We adopt the recommendation of the OCA.

The Code of Judicial Conduct provides in Canon 1, Rule 1.02 and Canon 3, Rule 3.05, *viz*:

"Rule 1.02. A judge should administer justice impartially and *without delay*. (italics supplied)"

x x x x x x x x x

Rule 3.05. A judge should *dispose of the court's business promptly* and decide cases within the required periods. (italics supplied)"

It cannot be overemphasized that judges have the sworn duty to administer justice without delay for "delay in the disposition of cases erodes the faith and confidence of our people in the judiciary; lowers its standards and brings it into disrepute."[2]

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[1] *Rollo*, pp. 6-7.

[2] *Re: Report on the Judicial Audit Conducted in the RTC-Branch 220, Quezon City*, A.M. No. 00-4-166-RTC, June 29, 2001, citing *Report on the*

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Respondent judge's precipitate suspension of trials and hearings in his *sala* prior to his request for permission from the Chief Justice for an authority to transfer to the NCIP unduly delayed the dispensation of justice in his court. As a judge, respondent should have exercised more prudence and should have given an allowance of time for the processing of his request which he belatedly filed on January 10, 2001 or eight days after he issued the suspension notice on January 2, 2001. We also note that as early as March 1, 2001, respondent judge already learned that his transfer to the NCIP was covered by the election ban, thereby postponing it until after the May 2001 elections. He, however, resumed full court sessions only on April 1, 2001, or one month thereafter, when he could have resumed full court sessions immediately after March 1, 2001.

In light of these circumstances, we find that respondent judge should be held administratively liable. However, as pointed out by the OCA, his liability is mitigated by his not being totally remiss in his duties as he continued trials and hearings on provisional remedies, criminal cases involving detention prisoners and promulgation of judgments.

WHEREFORE, Judge Agapito K. Laoagan, Jr., Presiding Judge of Municipal Trial Court, La Trinidad, Benguet is held administratively liable for delay and neglect of duty and is hereby ordered to pay a *FINE* in the amount of TWO THOUSAND PESOS (₱2,000.00).

SO ORDERED.

Davide, Jr., C.J. (Chairman), Kapunan, Pardo, and *Ynares-Santiago, JJ.,* concur.

Judicial Audit Conducted in the RTC, Branch 16 of Laoag City, Presided by Judge Luis B. Bello, 247 SCRA 519, 524 (1995), citing *Re: Inventory of Cases in the RTC Branch 11, Balayan, Batangas*, 234 SCRA 502 (1994).