EN BANC

[A.M. No. MTJ-25-051 (Formerly JIB FPI No. 24-159-MTJ). November 18, 2025]

OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS. HON. WILFREDO G. OCA, PRESIDING JUDGE, MUNICIPAL TRIAL COURT, REAL, QUEZON, RESPONDENT.

D E C I S I O N

SINGH, J.:

This resolves the administrative complaint against Judge Wilfredo Oca (**Judge Oca**), Presiding Judge of the Municipal Trial Court (**MTC**), Real, Quezon (**Judge Oca**), which stemmed from a Memorandum,[1] dated June 10, 2024, issued by the Office of the Court Administrator (**OCA**) and addressed to Justice Angelina Sandoval-Gutierrez (Ret.), Acting Chairperson of the Judicial Integrity Board (**JIB**). The Memorandum charged Judge Oca with gross neglect of duty relative to the delay in deciding 62 cases submitted for decision.[2]

The Facts

For purposes of evaluating the compulsory retirement of Judge Oca, effective June 25, 2024, the MTC of Real, Quezon (**MTC**) submitted its semestral docket inventory report for the second semester of 2023 and its monthly report of cases covering the months of November 2023 to April 2024 to the OCA.[3] Upon review, the OCA found that Judge Oca incurred delay in deciding 50 cases.[4]

In his June 5, 2024 letter-explanation,[5] Judge Oca stated that for most of his tenure as Presiding Judge of MTC Real Quezon, he was concurrently designated as Acting Presiding Judge of several other courts, including Municipal Circuit Trial Court (**MCTC**), Burdeos-Jomalig, Patnanungan, Quezon; MCTC Infanta-General Nakar, Quezon; MCTC Polilio-Panukulan, Quezon; MTC Taytay, Rizal; MTC, Cainta, Rizal; Metropolitan Trial Court (**METC**), Pasig City; and, METC, Makati City.[6] He emphasized that many of these courts had caseloads exceeding ten times that of his regular court, compelling him to devote the greater part of his time to these additional assignments.[7]

An administrative case, docketed as JIB FPI No. 24-158-MTJ, was thereafter filed in connection with Judge Oca's delay in deciding the 50 cases.[8]

To ascertain the extent of the undecided cases left by Judge Oca, the OCA consulted the Court Management Office (**CMO**), which reported that although Judge Oca was no longer the Acting Presiding Judge of MCTC Infanta-General Nakar, Quezon, he had left numerous cases submitted for decision in the said court.[9] This finding was confirmed by Ms. Emavera A. Dela Paz, the officer-in-charge/court stenographer of MCTC Infanta-General Nakar, Quezon, who attested that indeed, Judge Oca still has many cases submitted for decision in their court.[10]

Subsequently, the OCA directed the MCTC Infanta-General Nakar, Quezon to submit its Monthly Report of Cases from November 2018 to October 2019,[11] as well as its latest Semestral Docket Inventory Report for the Second Semester of 2023.[12]

Upon review of the submitted reports, the OCA found that during Judge Oca's tenure as Acting Presiding Judge of MCTC Infanta-General Nakar, Quezon, the court had a manageable caseload of 171 as of September 2019, with an average monthly inflow of only 17 cases, contrary to his claim that the caseloads of his additional assignments were ten times greater than that of his regular court.[13] The reports likewise showed that Judge Oca incurred delay in deciding 62 cases, consisting of 33 criminal cases and 29 civil cases.[14]

The OCA's findings were summarized in its Memorandum, which was referred to the JIB for appropriate action on June 14, 2024.[15]

The present administrative complaint, docketed as JIB FPI No. 24-159-MTJ, was then initiated against Judge Oca,[16] for gross neglect of duty in the performance and non-performance of official functions under Rule 140, Section 14(d) of the Rules of Court.[17]

On July 1, 2024, the JIB ordered Judge Oca to file a comment with respect to the allegations contained in JIB FPI No. 24-159-MTJ.[18] He was likewise directed to show cause why he should not be sanctioned as a member of the Philippine Bar for violating Canon III, Section 2 of the Code of Professional Responsibility and Accountability.[19]

In his Manifestation,[20] dated September 11, 2024, Judge Oca stated that he adopts his Comment[21] filed in connection with JIB FPI No. 24-158-MTJ.[22] In his Comment, Judge Oca claimed:

> 4. The delay in deciding these cases was not due to gross negligence as he was assigned to various courts in most of his term and was overwhelmed by the enormous case loads in his additional assignments. He was assigned as acting presiding judge for MCTC[,] Burdeos-Jomalig-Patnanungan, Quezon[;] MCTC Infanta-General Nakar, Quezon[;] MCTC Polilio-

Panukulan, Quezon[;] MTC Taytay, Rizal[;] MTC[,] Cainta, Rizal[;] METC[,] Pasig City[;] and METC[,] Makati City;

5. He reiterates his proposal to assign, by way of honorarium to whomsoever decide the undecided cases, the amount of [PHP 2,000.00] per case from his retirement claim.[23]

Report and Recommendation of the JIB-Office of the Executive Director

In his Report and Recommendation,[24] dated November 19, 2024, Acting Executive Director Eduardo C. Tolentino (**Executive Director Tolentino**) found Judge Oca guilty of two counts of Gross Neglect of Duty in the Performance or Non-Performance of Official Functions, and of Gross Neglect of Duty under the Code of Professional Responsibility and Accountability.[25] Executive Director Tolentino made the following specific recommendations:

IN VIEW OF THE FOREGOING, it is respectfully submitted for the consideration of the Honorable Board that the following recommendations be made to the Supreme Court:

1) The instant matter be **RE-DOCKETED**;

2) Respondent **Hon. WILFREDO G. OCA**, former Presiding Judge, Municipal Trial Court, Real, Quezon, be found **GUILTY** of two [ ] counts of Gross Neglect of Duty in the Performance or Non-Performance of Official Functions and accordingly **FINED** in the amount of PHP 200,000.00 for each count of gross neglect of duty, for a total aggregate of fines in the amount of PHP 400,000.00;

3) Respondent former Judge Oca be **DIRECTED** to **PAY** the fines imposed within a period not exceeding three [ ] months from the time of promulgation of this Decision. If unpaid within the required period, the fines imposed be deducted from his retirement benefits, including accrued leave credits;

4) The instant matter be also **TREATED** and **DOCKETED** as a complaint against respondent Judge Oca as a member of the Philippine Bar; and

5) Respondent former Judge Oca, as a member of the Philippine Bar, be found **GUILTY** of gross neglect of duty under the Code of Professional Responsibility and Accountability and accordingly **SUSPENDED** from the practice of law for a period of one [ ] year.[26] (Emphasis in the original)

In finding Judge Oca liable for Gross Neglect of Duty, Executive Director Tolentino noted that the delays, ranging from five months to over 15 years, violated the New Code of Judicial Conduct[27] and constituted negligence under Rule 140, as amended by Administrative Matter No. 21-08-09-SC.[28] Given the extent and frequency of the delays, the offense was deemed gross.[29] Citing *Office of the Court Administrator v. Judge Balo*,[30] Executive Director Tolentino held that separate findings of gross neglect were warranted because the duties involved different laws or rules: one count pertained to criminal cases, and the other to civil cases.[31] He recommended a penalty of PHP 200,000.00 for each count, considering Judge Oca's prior administrative sanctions.[32]

Additionally, Executive Director Tolentino recommended that Judge Oca be held liable as a member of the Philippine Bar.[33] Pursuant to Canon VI, Section 33(d) of the Code of Professional Responsibility and Accountability, which treats gross negligence in the performance of duty as a serious offense, Executive Director Tolentino deemed suspension from the practice of law as an appropriate penalty.[34]

The Recommendation of the JIB

In a Resolution,[35] dated April 28, 2025, the JIB resolved to adopt the Report and recommendation of the JIB-OED.

The Issues

1. Should Judge Oca be held administratively liable for his failure to resolve cases within the reglementary period?

2. Should Judge Oca be also disciplined as a member of the Philippine Bar for his delay in resolving 62 cases?

The Ruling of the Court

The Court finds Judge Oca administratively liable for gross neglect of duty. However, his act does not warrant an imposition of a penalty as a member of the Philippine Bar.

The Court has administrative jurisdiction over Judge Oca, notwithstanding his mandatory retirement on June 25, 2024

Preliminarily, the Court deems it proper to discuss whether the Court retains jurisdiction over Judge Oca, despite his compulsory retirement on June 25, 2024.

An administrative proceeding against a member of the judiciary may only be instituted during his or her incumbency. Rule 140, Section 2(1) of the Rules of Court, as amended by Administrative Matter No. 21-08-09-SC,[36] provides that "[d]isciplinary proceedings may not be instituted against a Member, official, employee, or personnel of

the Judiciary who has already died, retired, or otherwise separated from service."[37] However, once disciplinary proceedings have already been instituted, "the respondent's supervening retirement or separation from service shall not preclude or affect the continuation of the same."[38] The relevant portions of Rule 140 of the Rules of Court, as amended, read:

> SECTION 2. *Effect of Death, Retirement, and Separation from Service to the Proceedings*. —
>
> (1) *Circumstances Already Existing Prior to the Institution of the Proceedings*. — Disciplinary proceedings may not be instituted against a Member, official, employee, or personnel of the Judiciary who has already died, retired, or otherwise separated from service. If such proceedings have been instituted notwithstanding the foregoing circumstances, the administrative case against said Member, official, employee, or personnel of the Judiciary shall be dismissed.
>
> (2) *Circumstances Supervening Only During the Pendency of the Proceedings*. — However, once disciplinary proceedings have already been instituted, the respondent's supervening retirement or separation from service shall not preclude or affect the continuation of the same, provided, that, the supervening death of the respondent during the pendency of such proceedings shall result in the dismissal of the administrative case against him or her.[39] (Emphasis in the original)

Rule 140, Section 2 of the Rules of Court, as amended, has been extensively interpreted in jurisprudence. This Court has consistently held that its jurisdiction over erring members of the judiciary is contingent upon their incumbency at the time the complaint is filed.[40] Nevertheless, once jurisdiction has attached, it is not lost by the respondent's subsequent separation from office.[41]

This principle was applied by the *Court in Mabanag v. Ramos*,[42] citing *Office of the Court Administrator v. Amor*,[43] where the Court held that the respondent's separation from office by resignation or retirement does not warrant the dismissal of the administrative complaint filed against him or her while he or she was still in the service.[44] This was reiterated in the recent case of *Anonymous v. Judge Bajan*,[45] where the Court, citing *Office of the Court Administrator v. Fuensalida*,[46] declared:

> Jurisprudence is replete with rulings that in order for the Court to acquire jurisdiction over an administrative proceeding, the complaint must be filed during the incumbency of the respondent public official or employee. This is because *the filing of an administrative case is predicated on the holding of a position or office in the government service. However, once jurisdiction has attached, the same is not lost by the mere fact that the public official or employee was no longer in office during the pendency of the case*. In fine, cessation from office by reason of resignation, death[,] or retirement is not a

ground to dismiss the case filed against the said officer or employee at the time that he [or she] was still in the public service or render it moot and academic.[47] (Emphasis in the original; citations omitted)

Here, it is undisputed that Judge Oca compulsorily retired on June 25, 2024.[48] Nonetheless, the Court holds that its jurisdiction over the present administrative proceeding had already been attached prior to Judge Oca's retirement and was not extinguished by his subsequent retirement.

In *Office of the Court Administrator v. Judge Balo*,[49] the Court explained the reckoning date for administrative proceedings against a retired judge:

> [I]n *OCA v. Judge Mantua, Re: Missing Exhibits and Court Properties in RTC Branch 4, Panabo City, Davao del Norte*, and *Office of the Court Administrator v. Grageda*, the Court reckoned the date of the institution of the administrative case from the time when the OCA submitted to the Court its memorandum recommending the imposition of administrative penalties upon therein respondent judges.
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> . . . .
>
> However, in the recent *Office of the Court Administrator v. Hon. Lorenzo F. Balo, Presiding Judge, Branch 44, Regional Trial Court, Surallah, South Cotabato, in his capacity as Acting Presiding Judge of Branch 19, Regional Trial Court, Jsulan, Sultan Kudarat (OCA v. Judge Balo, Presiding Judge, Branch 19, RTC Isulan)*, the Court decreed that administrative disciplinary cases against a judge which are based on lapses and anomalies discovered during the course of judicial audits that were initiated before the judge's retirement are deemed *instituted from the time when the respondent judge received a show-cause order or order to explain from the OCA, viz.:*
>
> > The Court here rules and holds that in administrative cases against judges based on lapses and anomalies discovered during the course of judicial audits of their respective salas that were initiated before their retirement, as long as said judges were afforded opportunities to explain the said lapses and anomalies before their retirement, the Court retains residual jurisdiction over any administrative case resulting therefrom even after the said judges' retirement. Verily, an order or directive from the OCA to any judge for the explanation of any lapse or anomaly as part of a judicial audit – as long as the same was furnished to the judge in question before his or her retirement – should be considered the start of the relevant disciplinary proceedings against said judge. The OCA should thus be seen and considered as acting on behalf of the Court in its supervisory capacity over any and all judges of lower courts in the Philippines when it issues such directives for explanation, and the eventual referral

> to the JIB for the full determination of facts shall only be considered as the start of said fact-finding proper. In short, a show cause order or order to explain from the OCA in such cases suffices as the start or institution of *motu proprio* disciplinary proceedings.
>
> From the foregoing, an administrative case based on the OCA's recommendation, which are submitted to the Court or the JIB after the respondent judge has already retired, shall not be dismissed under the following circumstances: [first], it is based on lapses and anomalies discovered during the course of judicial audit; [second], the judicial audit was [initiated before] the judge's retirement; and [third], the judge was afforded the opportunity to explain the said lapses and anomalies [before] his or her retirement.[50] (Emphasis in the original; citations omitted)

Pursuant to *Judge Balo*, the case is considered instituted from the time Judge Oca received a show cause order from the OCA, issued prior to his retirement on June 25, 2024. Further, the Court's exercise of jurisdiction over a retired judge is justified here, as the administrative proceedings arose from lapses and anomalies uncovered during a judicial audit, which revealed Judge Oca's delays in case resolution. The audit, initiated prior to his retirement to evaluate his compulsory retirement, also afforded him the opportunity to submit a letter of explanation addressing these lapses before leaving his retirement office.

Having established that the Court has jurisdiction over Judge Oca despite his retirement, the Court now proceeds to rule on whether the lapses and delays identified during the judicial audit constitute gross neglect of duty.

Judge Oca acted with gross neglect of duty when he incurred delays in the resolution of 62 cases in MCTC Infanta-General Nakar, Quezon

A judge is the principal dispenser of justice entrusted with upholding the rule of law and ensuring that every action and decision rendered reflects the highest standards of integrity, thereby inspiring public confidence in the judiciary. Accordingly, Canon 2, Section 2 of the New Code of Judicial Conduct for the Philippine Judiciary[51] (**NCJC**) mandates that the "behavior and conduct of judges must reaffirm the people's faith in the integrity of the judiciary,"[52] emphasizing that "[j]ustice must not merely be done, but must also be seen to be done."[53] The Court has underscored the imperative nature of this duty for judges and members of the judiciary in *Re: Joint Report dated 23 October 2023 on Anonymous Complaint Against Hon. Josephine G. Bautista-Nichols, Presiding Judge, 4th Municipal Circuit Trial Court, Lumban-Kalayaan, Lumban, Laguna*,[54] where the Court held:

> The Court has repeatedly stressed that "[n]o position demands greater moral righteousness and uprightness from its holder than a judicial office." Everyone connected with the dispensation of justice, from the members of the High Court to the rank-and-file employees of the judiciary, are burdened with a heavy responsibility and must always bear in mind that the image of the court of justice is mirrored in their daily conduct. As such, to maintain the people's respect and faith in the judiciary, every member of the judiciary must be a model of uprightness, fairness, and honesty.[55] (Citations omitted)

Delays in the resolution of cases do not foster public confidence in the judiciary. Instead, they convey an image of a judiciary that is indifferent to the consequences of delays on the life and liberty of criminal defendants, the property and other rights of civil plaintiffs, and the broader impact for the families of the parties involved.

More importantly, delays in case resolution reflect a judiciary that disregards the duties imposed upon it by the Constitution, laws, and applicable rules. It bears emphasis that the 1987 Constitution mandates that lower courts must decide all cases within three months from the date of submission.[56] Similarly, Canon 6, Section 5 of the NCJC directs judges to "perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly[,] and with reasonable promptness."[57] The NCJC thus imposes on judges a clear duty to act promptly and efficiently in the disposition of cases.

Here, Judge Oca failed to conduct himself in a manner expected of him by the Constitution and the NCJC.

It is undisputed that Judge Oca failed to resolve 62 cases, consisting of 33 criminal cases and 29 civil cases, within the reglementary period.[58] He does not deny these delays, attributing them to his assignments across various courts, and even proposed a PHP 2,000.00-honorarium for judges who would dispose of the cases he left unresolved.[59]

Judge Oca's explanation fails to convince the Court. If he were genuinely overwhelmed by his duties, he could have easily requested this Court, through the OCA, for extensions of time to resolve his pending cases.[60] However, no such requests were made; instead, he proposed the extraordinary measure of paying other judges with an honorarium, to be deducted from his retirement claim, to dispose of the unresolved cases. This failure to seek extensions, coupled with his outrageous proposal, underscores his indifference to the prescriptive periods mandated by the Constitution.

Jurisprudence has characterized a judge's failure to render a decision within the prescribed period as a gross neglect of duty — a "negligence characterized by the want of even slight care, or by acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to the consequences, insofar as other persons may be affected."[61] In *Judge Balo*, the

Court ruled that the respondent in said case committed gross neglect of duty when he incurred delay in rendering judgment and resolving pending incidents in cases before Branch 44, Regional Trial Court Surallah.[62] Similarly, in *In re: Bautista-Nichols*, the Court found Judge Bautista-Nichols liable for gross neglect of duty due to her delay in the resolution of cases pending before her *sala*.[63]

In the aforementioned cases, the Court held the respondent judges liable for different counts of gross neglect of duty arising from their failure to act on both civil and criminal cases. As held by the Court in *In re: Bautista-Nichols*:

> In *Office of the Court Administrator v. Hon. Lorenzo F. Balo*, the Court found Judge Balo guilty of three counts of gross neglect of duty in the performance or non-performance of official functions because he violated three different rules. Similarly, Judge Bautista-Nichols committed three counts of gross neglect of duty when she...failed to resolve the following 1) eight criminal cases within 30 calendar days from the court's action on the last presenting party's offer of evidence; 2) [11] civil cases within 30 days from receipt by the court of the Mediator's Report or the JDR Report on the parties' failure to reach an amicable settlement; and 3) one small claims case within 24 hours from termination of the hearing.[64] (Citations omitted)

Based on the foregoing discussion, the Court finds Judge Oca guilty of two counts of gross neglect of duty in the performance or non-performance of official functions for his failure to resolve 33 criminal cases and 29 civil cases within the reglementary period.

Appropriate penalty for Judge Oca's gross neglect of duty

Gross neglect of duty in the performance or non-performance of official functions is classified as a serious offense under Rule 140, Section 14, of the Rules of Court, as amended by Administrative Matter No. 21-08-09-SC.[65] Under Section 17 of the same Rule, any of the following the penalties shall be imposed for a serious offense, thus:

> SECTION 17. *Sanctions*. —
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> (1) If the respondent is guilty of a serious charge, any of the following sanctions shall be imposed:
>
> (a) Dismissal from service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations. *Provided, however*, that the forfeiture of benefits shall in no case include accrued leave credits;

(b) Suspension from office without salary and other benefits for more than six [ ] months but not exceeding one [ ] year; or

(c) A fine of more than [PHP] 100,000.00 but not exceeding [PHP] 200,000.00.[66]

Further, Rule 140, Section 18 of the Rules of Court, as amended, clarifies the penalties to be imposed upon a retired judge, *in lieu* of dismissal from service:

> SECTION 18. *Penalty in Lieu of Dismissal on Account of Supervening Resignation, Retirement, or other Modes of Separation of Service*. — If the respondent is found liable for an offense which merits the imposition of the penalty of dismissal from service but the same can no longer be imposed due to the respondent's supervening resignation, retirement, or other modes of separation from service except for death, he or she may be meted with the following penalties in lieu of dismissal:
>
> (a) Forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including in government-owned or -controlled corporations. *Provided, however*, that the forfeiture of benefits shall in no case include accrued leave credits; and/or
>
> (b) Fine as stated in Section 17(1)(c) of this Rule.[67] (Emphasis in the original)

In determining the appropriate penalty to be imposed, the Court may, in its discretion, appreciate any mitigating and aggravating circumstances.[68] Rule 140, Section 20 of the Rules of Court, as amended, provides the manner of imposition of penalty in case mitigating and/or aggravating circumstances are present:

> SECTION 20. *Manner of Imposition*. — If one [ ] or more aggravating circumstances and no mitigating circumstances are present, the Supreme Court may impose the penalty of suspension or fine for a period or amount not exceeding double of the maximum prescribed under this Rule.
>
> If one [ ] or more mitigating circumstances and no aggravating circumstances are present, the Supreme Court may impose the penalties of suspension or fine, for a period or amount not less than half of the minimum prescribed under this Rule.
>
> If there are both aggravating and mitigating circumstances present, the Supreme Court may offset each other.[69]

Here, the records show that Judge Oca has been the subject of 14 administrative cases, in two of which he was found guilty.[70] In the two cases, Judge Oca was penalized with a fine.[71] A finding of previous administrative liability where a penalty has been

imposed, regardless of nature and/or gravity, is considered an aggravating circumstance.[72]

Nevertheless, the Court takes into account Judge Oca's advanced age[73] and concurrent designations as Acting Presiding Judge of several First Level Courts[74] as mitigating factors.

Considering the presence of both aggravating and mitigating circumstances, the Court imposes upon Judge Oca a fine of PHP 100,001.00 for each amount of Gross Neglect of Duty,[75] amounting to a total of PHP 200,002.00.

Judge Oca has no liability as a member of the Philippine Bar

The JIB, adopting the Report and Recommendation of Executive Director Tolentino, recommended the imposition of an additional penalty on Judge Oca as a member of the Philippine Bar.

The Court disagrees with the JIB and holds that no additional penalty is warranted in this case.

The Court recognizes that Rule 140, Section 4 of the Rules of Court, as amended, provides that an administrative case against judges of the first and second level courts, among others, "shall also be considered as a disciplinary action against him or her as a member of the Philippine Bar."[76] The pertinent portion of the Rule states:

> SECTION 4. *Administrative Case Considered as Disciplinary Actions Against Members of the Philippine Bar*. — An administrative case against any of those mentioned in Section 1(1) of this Rule shall also be considered as a disciplinary action against him or her as a member of the Philippine Bar, *provided*, that the complaint specifically states that the imputed acts or omissions therein likewise constitute a violation of the Lawyer's Oath, the Code of Professional Responsibility, the Canons of Professional Ethics, or such other forms of breaches of conduct that have been traditionally recognized as grounds for the discipline of lawyers.[77]

It should be emphasized, however, that the liability as a member of a Philippine Bar is not automatic upon a finding of guilt in an administrative proceeding as a judge.

In his Concurring Opinion in the case of *Castillo v. Asuncion*,[78] Associate Justice Alfredo Benjamin S. Caguioa opined that the determination of whether a respondent charged under Rule 140 should also face discipline as a member of the Bar depends on his or her fitness to practice the legal profession.[79] Thus, the respondent should not automatically be held liable as such.[80]

Justice Caguioa's Concurring Opinion was adopted by this Court in *Anonymous v. Judge Bajan*,[81] where the Court held:

> [B]efore judges facing allegations under Revised Rule 140 may also be subjected to disciplinary action as lawyers, an inquiry must be made to determine whether their alleged misconduct, if later proven, would call into question their integrity as members of the legal profession. Thus, beyond impacting the Judiciary's image as a whole, an assessment must be made whether the judge's transgressions also cast serious doubt on his or her moral fitness. After all, possession of good moral character is not simply a requirement for the admission to the Bar, but also a continuing requirement for its members. Hence, *the imposition of additional disciplinary measures should be confined to cases involving the commission of patently unlawful acts, immorality, abuse of power, deceitful, or dishonest conduct, among others, that clearly reflect on their personal character or moral fitness to continue practicing law. It should seriously affect the standing of the judge or court personnel as an officer of the court*.[82] (Emphasis supplied; citations omitted)

Here, Judge Oca's delay in the resolution of cases pertains to the performance of his judicial duties. It does not indicate a reprehensible character or a deficiency in moral fitness as a member of the Bar. Thus, although his conduct fell short of the high standards expected of a judge, it does not warrant revocation of his membership in the legal profession.[83]

This, notwithstanding, the Court reminds judges of their sworn duty to administer justice fairly and promptly. Time and again, the Court emphasizes that justice delayed is justice denied, and that any delay in the resolution of cases imposes significant injustice and undue burden to the parties involved.[84] For this reason, the Court will not hesitate to discipline the members of the Bench who fail to perform their duty with utmost diligence. The position of a judge demands full and faithful adherence to the law and Constitution in performing official responsibilities.[85] The People, who place their trust in the judiciary, deserve nothing less.

ACCORDINGLY, the Court resolves to:

1) **RE-DOCKET** the administrative complaint as a regular administrative matter against Judge Wilfredo Oca, Presiding Judge of the Municipal Trial Court, Real, Quezon; and

2) **FIND** respondent Judge Wilfredo G. Oca, Presiding Judge of the Municipal Trial Court, Real, Quezon, **GUILTY** of **TWO COUNTS** of **GROSS NEGLECT OF DUTY IN THE PERFORMANCE OR NON-PERFORMANCE OF OFFICIAL FUNCTIONS**, as penalized under Rule 140, Section 14 of the Rules of Court, as amended by Administrative Matter No. 21-08-09-SC. He is **FINED** in the amount of **PHP 100,001.00** for each count.

The fines in the aggregate amount of **PHP 200,002.00** shall be paid within a period not exceeding three months from the time this Decision is promulgated.[86] If unpaid, the amount of **PHP 200,002.00** shall be deducted from Judge Oca's benefits, including his accrued leave credits.[87]

Let copies of this Decision be furnished to the Office of the Bar Confidant, the Integrated Bar of the Philippines, and the Office of the Court Administrator for their information and guidance.

This Decision is immediately executory.[88]

SO ORDERED."

Gesmundo, C.J., Caguioa, Lazaro-Javier, Inting, Zalameda, Gaerlan, Rosario, Lopez, Dimaampao, Marquez, and *Kho, Jr., JJ.*, concur.
Leonen, SAJ., dissent. See separate opinion.
Hernando,[*] *J.*, on official business.
Villanueva,[**] *J.*, no part.

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[*] On official business.

[**] No part due to prior action as Court Administrator.

[1] *Rollo*, pp. 11-20.

[2] *Id.* at 90.

[3] *Id.*

[4] *Id.* at 2.

[5] *Id.* at 21.

[6] *Id.* at 4.

[7] *Id.*

[8] *Id.* at 90-91.

[9] *Id.* at 4.

[10] *Id.* at 55-78.

[11] *Id.* at 37-54.

[12] *Id.*

[13] *Id.* at 5.

[14] *Id.* at 90.

[15] *Id.* at 93.

[16] *Id.*

[17] *Id.* at 81.

[18] *Id.*

[19] *Id.* at 82.

[20] *Id.* at 86.

[21] *Id.* at 87.

[22] *Id.* at 91.

[23] *Id.* at 87.

[24] *Id.* at 90-98. The November 19, 2024 Report and Recommendation in JIB FPI No. 24-159-MTJ was penned and submitted by Eduardo C. Tolentino, Acting Executive Director of the Judicial Integrity Board, Supreme Court, Manila.

[25] *Id.* at 97-98.

[26] *Id.* at 97-98.

[27] *Id.* at 93.

[28] *Id.* at 94.

[29] *Id.*

[30] 953 Phil. 267, 285 (2024) [Per J. Inting, *En Banc*].

[31] *Rollo*, pp. 96-97.

[32] *Id.*

[33] *Id.* at 97.

[34] *Id.*

[35] *Id.* at 99. The April 28, 2025 Resolution in JIB FPI No. 24-159-MTJ was signed by Acting Chairperson Justice Angelina Sandoval-Gutierrez (Ret.) and Third Regular Member Justice Cielito N. Mindaro-Grulla (Ret.) of the Judicial Integrity Board, Supreme Court, Manila.

[36] A.M. No. 21-08-09-SC (2022), Further Amendments to Rule 140 of the Rules of Court.

[37] *Id.* sec. 2(1).

[38] *Id.* sec. 2(2).

[39] *Id*. sec. 2.

[40] **Competente v. Nacion**, 880 Phil. 812, 819 (2020) [Per J. Inting, *En Banc*].

[41] *Id.*

[42] 950 Phil. 177 (2024) [Per J. Lazaro-Javier, *En Banc*].

[43] 889 Phil. 605 (2020) [*Per Curiam, En Banc*].

[44] **Mabanag v. Ramos**, 950 Phil. 177, 193 (2024) [Per J. Lazaro-Javier, *En Banc*].

[45] A.M. No. MTJ-25-035, March 4, 2025 [Per J. Rosario, *En Banc*].

[46] 880 Phil. 561 (2020) [Per J. Delos Santos, *En Banc*].

[47] **Anonymous v. Judge Bajan, A.M. No. MTJ-25-035**, March 4, 2025 [Per J. Rosario, *En Banc*] at 6. This pinpoint citation refers to the copy of the Decision uploaded in the Supreme Court website.

[48] *Rollo*, p. 93.

[49] 953 Phil. 267 (2024) [Per J. Inting, *En Banc*].

[50] *Id.* at 273-274.

[51] A.M. No. 03-05-01-SC (2004) Adopting the New Code of Judicial Conduct for the Philippine Judiciary.

[52] *Id.* Canon 2, sec. 2.

[53] *Id.*

[54] **A.M. No. MTJ-25-043**, February 25, 2025 [Per J. Inting, *En Banc*].

[55] *Id.* at 12-13. This pinpoint citation refers to the copy of the Decision uploaded in the Supreme Court website.

[56] CONST., art. VIII, sec. 15(1).

[57] A.M. No. 03-05-01-SC, Canon 6, sec. 5.

[58] *Rollo*, p. 90.

[59] *Id.* at 87.

[60] **Office of the Court Administrator v. Judge Balo**, 953 Phil. 267, 283 (2024) [Per J. Inting, *En Banc*].

[61] *Id.* at 284.

[62] *Id.* at 277.

[63] Re: Joint Report dated 23 October 2023 on **Anonymous Complaint Against Judge Bautista-Nichols, A.M. No. MTJ-25-043**, February 25, 2025 [Per J. Inting, *En Banc*] at 14. This pinpoint citation refers to the copy of the Decision uploaded in the Supreme Court website.

[64] *Id.*

[65] Further Amendments to Rule 140 of the Rules of Court.

[66] *Id.*

[67] *Id.*

[68] *Id.* sec. 19.

[69] *Id.*

[70] *Rollo*, p. 19.

[71] *Id.*

[72] A.M. No. 21-08-09-SC, sec. 19(2)(a), (2022).

[73] *See* **Report on the Judicial Audit Conducted In the RTC, Branch 16, of Laoag City**, 317 Phil. 618, 623 (1995) [Per J. Mendoza, Second Division], where the Court considered advanced age as a mitigating circumstance.

[74] *See* **Office of the Court Administrator v. Judge Eisma**, 439 Phil. 601, 610 (2002) [Per J. Vitug, *En Banc*], where the Court mitigated the penalty imposed upon the judge due to his concurrent designations as Acting Presiding Judge of several First Level Courts.

[75] *See* RULES OF COURT, Rule 140, sec. 21, as amended by A.M. No. 21-08-09-SC (2022), where the Court stated that if the respondent is found liable for more than one [ ] offense arising from separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense.

[76] A.M. No. 21-08-09-SC, sec. 4, (2022).

[77] *Id.*

[78] J. Caguioa, Concurring Opinion in **Castillo v. Presiding Judge Asuncion**, 958 Phil. 451, 463-473 (2024) [Per J. Inting, *En Banc*].

[79] *Id.* at 468.

[80] *Id.* at 470.

[81] A.M. No. MTJ-25-035, March 4, 2025 [Per J. Rosario, *En Banc*].

[82] *Id.* at 17. This pinpoint citation refers to the copy of the Decision uploaded in the Supreme Court website.

[83] *Id.* at 18. This pinpoint citation refers to the copy of the Decision uploaded in the Supreme Court website.

[84] **Pascual v. Judge Jovellanos**, 439 Phil. 136, 144 (2002) [Per J. Panganiban, Third Division].

[85] **Office of the Court Administrator v. Judge Casalan**, 785 Phil. 350, 359 (2016) [Per J. Peralta, Third Division].

[86] A.M. No. 21-08-09-SC, sec. 22, (2022).

[87] *Id.*

[88] *Id*. sec. 23.

DISSENTING OPINION

LEONEN, *SAJ*:

The Office of the Court Administrator filed a complaint before the Judicial Integrity Board against Judge Wilfredo G. Oca (Judge Oca) for gross neglect of duty due to his delay in resolving 50 cases.[1] Judge Oca cited his heavy caseload in at least seven cases to which he was assigned as acting presiding judge. While Judge Oca was able to reduce his unresolved cases to 24, the Judicial Integrity Board nonetheless found him guilty of gross neglect of duty in the performance or nonperformance of official functions and imposed a fine of PHP 200,000.00.[2] It also found that Judge Oca violated the Code of Professional Responsibility and Accountability and suspended him from the practice of law for one year.[3]

The *ponencia* agreed with the Judicial Integrity Board's findings, except as to the amount of the fine and Judge Oca's suspension from the practice of law. The majority found him guilty of two counts of gross neglect of duty for his failure to resolve 33 criminal cases and 29 civil cases.[4] Judge Oca's administrative liability in two prior cases was considered an aggravating circumstance, while his old age and concurrent designations as acting presiding judge of several first-level courts were treated as mitigating circumstances.[5] Thus, he was found liable to pay a fine of PHP 100,001.00 for each count, or a total of PHP 200,002.00. His liability under the Code of Professional Responsibility and Accountability was also set aside because the complaint involved the exercise of his judicial functions.[6]

In my view, the majority should not have appreciated old age and heavy workload as mitigating circumstances.

Gross neglect of duty is a serious charge.[7] A range of penalties may be imposed on a judge found guilty of the offense, namely: dismissal and forfeiture of benefits; suspension from office; or a fine.[8] Here, since Judge Oca has retired from service, forfeiture of all benefits and/or a fine may be imposed on account of his supervening retirement.[9] Upon a finding of gross neglect of duty, which is a serious offense, a fine of "more than [PHP] 100,000.00 but not exceeding [PHP] 200,000.00" may be imposed.[10]

Rule 140, Section 19 of the Rules of Court, as amended, enumerates the modifying circumstances for administrative infractions. Humanitarian considerations may mitigate a penalty,[11] while previous administrative liability where a penalty was imposed may aggravate it.[12]

Here, Judge Oca was able to reduce the number of unresolved cases from 50 to 24.[13] Nevertheless, it is clear that his inability to decide the remaining cases within the reglementary period warrants a finding of administrative liability. The imposable penalty is subject to the Court's discretion:

> 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. The penalty to be imposed on the judge varies depending on the attending circumstances of the case. *In deciding the penalty to be imposed, the Court takes into consideration, among others, the period of delay; the damage suffered by the parties as result of the delay; the number of years the judge has been in the service; the health and age of the judge; and the caseload of the court presided over by the judge*.[14] (Emphasis supplied, citation omitted)

It should be noted that Judge Oca has already been penalized in several administrative cases for undue delay in rendering orders and for violation of this Court's rules and directives.

In *Miranda v. Judge Oca*,[15] this Court noted that Judge Oca was first disciplined on September 2, 2015 for "undue delay in rendering orders and for violation of Supreme Court rules, directives and circulars."[16] There, he was fined PHP 20,000.00 and warned that a repetition of the same offense will be dealt with more severely.[17]

Notwithstanding this warning, Judge Oca again committed delay in resolving an ejectment case and was found to have committed simple neglect of duty in *Gorres et al. v. Judge Oca.*[18] The penalty imposed in *Gorres* was more lenient after the appreciation of the two mitigating circumstances of old age and heavy caseload in favor of Judge Oca.[19]

Perhaps anticipating further leniency, Judge Oca continued to grossly neglect his duty to resolve cases within the prescribed reglementary period until his compulsory retirement on June 25, 2024. He even offered to pay an honorarium of PHP 2,000.00 per case to any judge who could finish his remaining cases.[20] Such an attitude does not merit further compassion from the Court.

Since the mitigating circumstance of old age and heavy workload had already been appreciated in *Gorres*, the majority should not have considered them again to mitigate the penalty for Judge Oca.[21] It must be emphasized that the present case is the *fourth*

time he is being disciplined for violation of his duties. There were also at least 14 administrative complaints filed against him.[22] Thus, Judge Oca was totally undeserving of the majority's leniency.

Old age and heavy caseload resulting from Judge Oca's designation as presiding judges in several first-level courts should not be appreciated again as mitigating circumstances, as doing so would result in an unfair penalty compared with that imposed on other judges disciplined under similar circumstances.

In *Castillo v. Asuncion*,[23] this Court imposed a fine of PHP 201,000.00 on Judge Miguel S. Asuncion for gross neglect of duty for failing to resolve a motion for the issuance of a writ of injunction in relation to a civil case for damages. He had previously been reprimanded in another case for "undue delay in rendering a decision/order."[24]

Similarly, in *Office of the Court Administrator v. Balo*,[25] Judge Lorenzo F. Balo had previously been disciplined for gross neglect of duty in at least three cases. This Court considered this as an aggravating circumstance in that case, where he incurred delays in resolving 26 cases for periods ranging from at least eight months to two years. Thus, this Court imposed a penalty of PHP 200,000.00 for each of the three counts of the offense.[26]

Again in *Espiritu v. Arenas*,[27] Judge Santiago M. Arenas had also previously been found guilty of gross inefficiency. For committing simple neglect of duty in failing to promptly resolve the execution of a final and executory judgment, the Court imposed a fine of PHP 120,000.00. This served as a reminder to members of the Judiciary, especially judges, to perform their duties with utmost diligence to preserve the public's confidence in our institution:

> As a final note, the Court hereby reminds all the members of the Judiciary that "the honor and integrity of the judicial system is measured not only by the fairness and correctness of decisions rendered, but also by the efficiency with which disputes are resolved. 'Thus, judges must perform their official duties with utmost diligence if public confidence in the judiciary is to be preserved. There is no excuse for mediocrity in the performance of judicial functions. The position of judge exacts nothing less than faithful observance of the law and the Constitution in the discharge of official duties.'"[28] (Citation omitted)

Considering the foregoing cases, the fine should be set at the maximum imposable penalty of PHP 200,000.00 for each count of gross neglect of duty, or a total of PHP 400,000.00.

Rule 140, Section 20 of the Rules of Court, as amended, provides that when one or more aggravating circumstances are present and no mitigating circumstances exist, the Court may impose a fine not exceeding double the maximum amount.[29] The use of

the word "may" grants the Court sufficient discretion in determining the imposable fine, the base of which need not necessarily be the prescribed ceiling.

To illustrate, for serious offenses with imposable fines of more than PHP 100,000.00 but not exceeding PHP 200,000.00, the base may range anywhere between these minimum and maximum prescribed amounts. Thus, in *Balo*, where previous administrative liability aggravated the penalty, the Court pegged the base at PHP 100,001.00 to arrive at the final imposable penalty of PHP 200,000.00.[30]

Here, the majority should have considered Judge Oca's designation as presiding judge of several courts in determining the base of the imposable fine, since the Rules allow some flexibility in this regard. Accordingly, the proper fine per charge should have been PHP 200,000.00, and the total liability of Judge Oca should have been PHP 400,000.00 for the two counts of gross neglect of duty.

ACCORDINGLY, I vote that Judge Wilfredo Oca, Presiding Judge of the Municipal Trial Court, Real, Quezon be found **GUILTY** of **TWO COUNTS** of **GROSS NEGLECT OF DUTY IN THE PERFORMANCE OR NON-PERFORMANCE OF OFFICIAL FUNCTIONS** and that he be **FINED** in the amount of PHP 400,000.00.

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[1] *Ponencia*, pp. 2-3.

[2] *Id.* at 4-5.

[3] *Id.* at 5.

[4] *Id.* at 10-11.

[5] *Id.* at 13.

[6] *Id.* at 13-15.

[7] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 14.

[8] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 17(1).

[9] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 18.

[10] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 17(1)(c).

[11] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 19(1)(d).

[12] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 19(2)(a).

[13] *Rollo*, p. 83.

[14] **Rubin v. Corpus-Cabochan**, 715 Phil. 318, 334 (2013) [Per J. Perez, Second Division].

[15] 827 Phil. 253 (2018) [Per J. Caguioa, Second Division].

[16] *Id.* at 261.

[17] *Id.*

[18] **A.M. No. MTJ-25-038 [Formerly OCA IPI No. 20-3129-MTJ]**, February 25, 2025 [Unsigned Resolution, *En Banc*].

[19] *Id.*

[20] *Rollo*, p. 83.

[21] **Gorres et al. v. Judge Oca, A.M. No. MTJ-25-038 [Formerly OCA IPI No. 20-3129-MTJ]**, February 25, 2025 [Unsigned Resolution, *En Banc*].

[22] *Ponencia*, p. 13.

[23] **A.M. No. RTJ-23-039**, August 20, 2024 [Per J. Inting, *En Banc*].

[24] *Id.*

[25] **Office of the Court Administrator v. Balo**, 953 Phil. 267 (2024) [Per J. Inting, *En Banc*].

[26] *Id.* at 290-291.

[27] 949 Phil. 856 (2023) [Per J. Kho, Jr., *En Banc*].

[28] *Id.* at 864-865.

[29] RULES OF COURT, Rule 140, as amended by A.M. No. 21-08-09-SC, sec. 20.

[30] **Office of the Court Administrator v. Balo**, 953 Phil. 267, 290-291 (2024) [Per J. Inting, *En Banc*].

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