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THIRD DIVISION

[A.M. No. MTJ-01-1341. February 15, 2001]

OFFICE OF THE COURT ADMINISTRATOR, *complainant, vs.* **JUDGE REINATO G. QUILALA and Branch Clerk of Court ZENAIDA D. REYES-MACABEO, MeTC, Branch 26, Manila,** *respondents.*

SYNOPSIS

This is an administrative case against respondents Judge Reinato G. Quilala, former Presiding Judge, MeTC, Branch 26, Manila and now Presiding Judge, RTC, Branch 57, Makati City and Clerk of Court Zenaida C. Reyes-Macabeo, MeTC, Branch 26, Manila.

The Office of Court Administrator (OCA), in its report, found that the respondent judge, while he was still the presiding judge of Branch 26, failed to decide 10 criminal and 7 civil cases, already submitted for decision before him, within the reglementary period. He likewise failed to indicate such fact in his certificates of service and monthly report of case.

The OCA also found that from 1996 to 1999, respondent Macabeo failed to indicate in the Monthly Report of Cases submitted to the OCA Statistical Reports Division, the cases already submitted for decision, and the cases which have remained undecided beyond the reglementary period.

Judge Quilala blamed his inaction on the cases to his court personnel and to their transfer to another building. For her part, Ms. Macabeo explained that the unresolved cases in question were misplaced or "placed in the wrong bundle," for which reason she failed to indicate in the Monthly Report of Cases those submitted for decision and those with pending incidents which have not been decided or resolved by respondent judge seasonably. She blamed the termites, the leaking roof of the courthouse and the court personnel's eventual transfer to another old building as the cause of the records being "mixed up."

It is the duty of a judge to take note of the cases submitted for his decision or resolution and to see to it that the same are

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decided within the 90-day period fixed by law, and failure to resolve a case within the required period constitutes gross inefficiency. The respondent judge cannot take refuge behind the supposed mistakes or inefficiency of his clerk of court. Proper and efficient court management is the responsibility of the judge, and he is the one directly responsible for the proper discharge of his official functions.

As Branch Clerk of Court, respondent Macabeo has control and supervision over all court records, exhibits, documents, properties and supplies within her branch, subject only to the supervision and control of the Presiding Judge. It is incumbent upon her to ensure an orderly and efficient record management system in the court and to supervise the personnel under her office to function effectively. Had she been faithful to her duties, the subject court records could not have been misplaced.

Hence, the Supreme Court ordered the respondent judge to pay a fine in the amount of ₱5,000.00 for failing to decide cases submitted for decision within the reglementary period. The Court likewise admonished respondent Macabeo for her failure to indicate in the various Monthly Report of Cases submitted to the OCA the cases submitted for decision.

SYLLABUS

1. **JUDICIAL ETHICS; JUDGES; MUST RENDER JUSTICE NOT ONLY IMPARTIALLY BUT ALSO EXPEDITIOUSLY.** — The noble office of a judge is to render justice not only impartially, but *expeditiously* as well, 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." Thus, Rule 3.05, Canon 3 of the Code of Judicial Conduct admonishes all judges to dispose of the court's business promptly and decide cases within the period specified in Section 15 (1) (2), Article VIII of the Constitution, that is, three months from the filing of the last pleading, brief or memorandum. This requirement of the fundamental law is designed to prevent delay in the administration of justice for obviously, justice delayed is justice denied.

2. **ID.; ID.; DIRECTLY RESPONSIBLE FOR PROPER DISCHARGE OF THEIR OFFICIAL FUNCTIONS; CANNOT**

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TAKE REFUGE BEHIND THE MISTAKES OR INEFFICIENCY OF THEIR PERSONNEL. — Prompt disposition of the court's business is attained through proper and efficient court management. Rule 3.08, Canon 3 of the Code of Judicial Conduct instructs that "(a) judge should diligently discharge administrative responsibilities, maintain professional competence in court management, and facilitate the performance of the administrative functions of other judges and court personnel." Respondent judge has been remiss in his duty and responsibility as court manager by failing to adopt a system of record management. Consequently, case records were misplaced, resulting in his failure to decide the subject cases within the reglementary period before he was promoted to the Regional Trial Court. That his personnel failed to inform him of the unresolved cases does not exculpate him from administrative sanction. Proper and efficient court management is the responsibility of the judge, and he is the one *directly responsible* for the proper discharge of his official functions. He thus cannot take refuge behind the supposed mistakes or inefficiency of his clerk of court.

3. **ID.; ID.; FAILURE TO RESOLVE A CASE WITHIN THE REQUIRED PERIOD CONSTITUTES GROSS INEFFICIENCY.** — What we emphasized before bears repeating: "It is the *duty* of a judge *to take note of the cases submitted for his decision or resolution and to see to it that the same are decided within the 90-day period fixed by law*, and failure to resolve a case within the required period constitutes gross inefficiency." "A judge *ought to know* the cases submitted to him for decision or resolution and *is expected to keep his own record of cases so that he may act on them promptly.* The public trust character of his office imposes upon him the highest degree of responsibility and efficiency. Accordingly, judges should always be imbued with a high sense of duty and responsibility in the discharge of their obligation to promptly administer justice."

4. **ADMINISTRATIVE LAW; COURT PERSONNEL; BRANCH CLERK OF COURT; DUTIES.** — We cannot also accept as valid excuse the explanation of respondent Branch Clerk of Court that the unresolved cases in question were misplaced or "placed in the wrong bundle," for which reason she failed to indicate in the Monthly Report of Cases those submitted for decision

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and those with pending incidents which have not been decided or resolved by respondent judge seasonably. She blames the termites, the leaking roof of the courthouse and the court personnel's eventual transfer to another old building as the cause of the records being "mixed up." In this regard, we fully agree with the evaluation of the Court Administrator that respondent Macabeo, "*knowing the conditions that they were into, should have guarded zealously the records of cases in their branch*" in order to prevent the records of undecided/ unresolved cases being "placed in the wrong bundle." As Branch Clerk of Court, she has control and supervision over all court records, exhibits, documents, properties and supplies within her branch, subject only to the supervision and control of the Presiding Judge. Specifically, she is charged with the efficient recording, filing and management of court records, besides having administrative supervision over court personnel. It is incumbent upon her to ensure an orderly and efficient record management system in the court and to supervise the personnel under her office to function effectively. Had she been faithful to her duties, the subject court records could not have been misplaced.

D E C I S I O N

SANDOVAL-GUTIERREZ, *J.*:

This case stemmed from the letter dated June 18, 1999 of Judge Aida Rangel-Roque, Metropolitan Trial Court, Branch 24, Manila, addressed to Court Administrator Alfredo L. Benipayo, requesting an extension of time within which to resolve the undecided cases and pending incidents in other cases assigned to Branch 26 vacated by Judge Reinato G. Quilala who was promoted to the Regional Trial Court, Branch 57 at Makati City on March 25, 1999. In her letter, Judge Roque stated that the said cases are additional workload on her part as she is not only the pairing judge of Branch 26 but also its presiding judge pursuant to Supreme Court Circular No. 19-98 dated February 18, 1998.

On May 24, 1999, Judge Roque issued a memorandum directing Zenaida C. Reyes-Macabeo, Branch Clerk of Court of Branch

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26, to furnish her with the list of cases submitted for decision and those with pending incidents for resolution.

On June 14, 1999, Branch Clerk of Court Macabeo submitted to Judge Roque the required list of cases. On the basis of this list, Judge Roque sent the instant request to the Court Administrator.

On August 26, 1999, the Court Administrator reported to the Court that there are 12 criminal cases and 9 civil cases submitted for decision and with pending incidents for resolution. Among those submitted for decision, 10 criminal cases and 7 civil cases have not been decided within the reglementary period. Likewise, the various Monthly Report of Cases submitted by Branch 26 to the OCA Statistical Reports Division show that from 1996 to 1999, Judge Quilala and Ms. Macabeo did not indicate therein the cases already submitted for decision, except in the Monthly Report of Cases in August, 1998. This fact was not also specified in the Certificates of Service submitted by Judge Reinato Quilala.

As recommended by the Court Administrator, the Court *En Banc* issued a resolution dated October 5, 1999 stating:

"Acting on the Letter dated 18 June 1999 of Judge Aida Rangel-Roque, MeTC, Branch 24, Manila, requesting an extension of time within which to resolve the undecided cases and cases with pending incidents in Branch 26, same court, due to the numerous cases submitted for decision, the Court Resolved to:

(1) GRANT the aforesaid request;

(2) GIVE Judge Roque a period of ninety (90) days from notice within which to resolve the undecided cases and cases with pending incidents in Branch 26;

(3) DIRECT Judge Roque to furnish this Court, through the Office of the Court Administrator, with copies of her decisions and resolutions immediately upon rendition thereof;

(4) DIRECT Judge Reinato G. Quilala, former Presiding Judge, MeTC, Branch 26, Manila and now Presiding Judge, RTC, Branch 57, Makati City, to explain within ten (10) days from notice why no

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administrative sanction should be imposed on him for failure to decide the subject cases within the reglementary period and for failure to indicate such fact in his certificates of service and monthly report of cases; and

(5) DIRECT Clerk of Court Zenaida C. Reyes-Macabeo, MeTC, Branch 26, Manila, to explain within ten (10) days from notice why no administrative sanction should be imposed on her for failure to indicate in the monthly report of cases she submitted to the Statistical Reports Division, OCA, the list of cases submitted for decision and cases which have remained undecided beyond the reglementary period."

In compliance with the above-quoted resolution, Judge Quilala and Ms. Macabeo submitted their explanations dated November 3, 1999 and November 9, 1999, respectively.

Judge Quilala explained that he could have resolved the said cases without delay had they been brought to his attention by the Branch Clerk of Court or by the clerks in-charge of the civil and criminal cases. But they could not do so because of the miserable plight of their office then infested with termites, rats and cockroaches. In November of 1997, Judge Quilala recalled, "we were unceremoniously uprooted from our old site and lumped together at the long-vacated and rickety building of the Sta. Cruz Fire Station. Our office tables, chairs, typewriters and other equipment and the records of cases were just dumped at the ground floor of the old fire station building together with the rest of the 12 salas that were transferred thereat. It took us several weeks before we could temporarily organize our things in our sala where workers are rushing completion thereof." Judge Quilala ended his letter by begging the kind indulgence of this Court for his inadvertence, promising that the matter in question will not be repeated.

For her part, Ms. Macabeo explained that her failure to indicate in the Monthly Report of Cases the cases submitted for decision and those with pending incidents unresolved within the reglementary period, "may be attributed mainly to circumstances of which I may not have total control." She stated that "in the latter part of 1996, our two (2) built-in-cabinets were infested by termites," as a result of which "all our records got mixed

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up. This situation was further aggravated when we had to prematurely transfer to our new office at Ongpin Street, Sta. Cruz, Manila. The decrepit building which housed our court has a leaking roof which prompted us to constantly move our records to prevent them from being damaged. Because of this situation, I had to write the Executive Judge to call her attention about the matter but until now, the roof still leaks." She further explained that it was only after she received Judge Aida Rangel-Roque's memorandum she found those cases submitted for decision which were placed in a wrong bundle.

In a resolution dated December 14, 1999, the Court *En Banc* referred the separate letters dated November 9 and 19, 1999 of Judge Quilala and Ms. Macabeo to the Office of the Court Administrator for evaluation, report and recommendation.

The Court Administrator, in his memorandum dated January 18, 2000, found the explanations of Judge Quilala and Branch Clerk of Court Macabeo unsatisfactory. The Court Administrator's evaluation of the case reads:

"EVALUATION : Judge Quilala blames his inaction on the cases to his court personnel and to their transfer to another building on November 1997. Ms. Macabeo on the other hand attributed her failure to circumstances she has no control like, the transfer in 1997, water leaks, and termites. Judge Quilala should be reminded of his administrative responsibilities. Under Canon 3, Rule 3.09 of the Code of Judicial Conduct, a judge should organize and supervise the court personnel to ensure the prompt and efficient dispatch of business, and require at all times the observance of high standard of public service and fidelity. As a judge, he should diligently maintain professional competence in court management. As a rule, a judge shall dispose of the court's business promptly and decide cases within the required periods. He is the Court Manager, and as such, the burden of knowing cases that are to be decided within the required period rests on his shoulder. He should not blame the court personnel for not bringing to his attention the undecided cases. He has the sworn duty to administer justice without undue delay. Failure to decide cases within the periods fixed by law constitutes a neglect of duty, which warrants the imposition of administrative sanctions. If he believes he could not decide the cases within the period, he should have asked for extension of time and the court has been lenient

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on this matter. For failing to do so, respondent judge has to suffer the consequences of his omission. As to Ms. Reyes-Macabeo, she should have, knowing the conditions that they were into, guarded zealously the records of cases in their branch. Furthermore, Judge Quilala and Ms. Reyes-Macabeo averred that they transferrred in 1997, however, a perusal of the submitted cases undecided show that there were cases undecided prior to November 1997, to wit:

CIVIL CASE NO.:	DATE SUBMITTED:
1. 088607-CV	May 27, 1986
2. 147377	August 7, 1995
3. 152219	Jan. 6, 1997
4. 152847	Sept. 12, 1997

CRIMINAL CASE NO.	
1. 209794	June 28, 1996
2. 209795	June 28, 1996
3. 042294	June 23, 1997
4. 186330	July 1, 1996
5. 187537	July 1, 1996
6. 290645	April 24, 1997"

Accordingly, the Court Administrator recommended that (1) Judge Quilala "be fined in the amount of ₱5,000.00 for failure to decide cases submitted for decision before him within the reglementary period, with a warning that a repetition of the same offense will be dealt with more severely"; and that (2) Ms. Macabeo "be admonished for her failure to indicate in the Monthly Report of Cases she submitted to this Office, the list of cases submitted for decision, with a warning that a repetition of the same offense will be dealt with more severely."

We agree with the findings and recommendation of the Court Administrator.

The noble office of a judge is to render justice not only impartially, but *expeditiously* as well,[1] for "delay in the disposition

[1] *Ruperto vs. Banquerigo,* 293 SCRA 704 (1998).

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of cases erodes the faith and confidence of our people in the judiciary, lowers its standards and brings it into disrepute."[2] Thus, Rule 3.05, Canon 3 of the Code of Judicial Conduct admonishes all judges to dispose of the court's business promptly and decide cases within the period specified in Section 15 (1) (2), Article VIII of the Constitution, that is, three months from the filing of the last pleading, brief or memorandum. This requirement of the fundamental law is designed to prevent delay in the administration of justice for obviously, justice delayed is justice denied.

Prompt disposition of the court's business is attained through proper and efficient court management. Rule 3.08, Canon 3 of the Code of Judicial Conduct instructs that "(a) judge should diligently discharge administrative responsibilities, maintain professional competence in court management, and facilitate the performance of the administrative functions of other judges and court personnel."

Respondent judge has been remiss in his duty and responsibility as court manager by failing to adopt a system of record management. Consequently, case records were misplaced, resulting in his failure to decide the subject cases within the reglementary period before he was promoted to the Regional Trial Court. That his personnel failed to inform him of the unresolved cases does not exculpate him from administrative sanction. Proper and efficient court management is the responsibility of the judge, and he is the one *directly responsible* for the proper discharge of his official functions.[3] He thus cannot take refuge behind the supposed mistakes or inefficiency of his clerk of court.[4]

What we emphasized before bears repeating: "It is the *duty* of a judge *to take note of the cases submitted for his decision or resolution and to see to it that the same are decided within the 90-day period fixed by law,* and failure to resolve

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[2] *Abarquez vs. Rebosura,* 285 SCRA 109. (1998).

[3] *Ibid.*

[4] *Agcaoili vs. Ramos,* 229 SCRA 705 (1994).

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a case within the required period constitutes gross inefficiency."[5] "A judge *ought to know* the cases submitted to him for decision or resolution and *is expected to keep his own record of cases so that he may act on them promptly.*[6] The public trust character of his office imposes upon him the highest degree of responsibility and efficiency.[7] Accordingly, judges should always be imbued with a high sense of duty and responsibility in the discharge of their obligation to promptly administer justice."[8]

We cannot also accept as valid excuse the explanation of respondent Branch Clerk of Court that the unresolved cases in question were misplaced or "placed in the wrong bundle," for which reason she failed to indicate in the Monthly Report of Cases those submitted for decision and those with pending incidents which have not been decided or resolved by respondent judge seasonably. She blames the termites, the leaking roof of the courthouse and the court personnel's eventual transfer to another old building as the cause of the records being "mixed up." In this regard, we fully agree with the evaluation of the Court Administrator that respondent Macabeo, "*knowing the conditions that they were into, should have guarded zealously the records of cases in their branch*" in order to prevent the records of undecided/unresolved cases being "placed in the wrong bundle." As Branch Clerk of Court, she has control and supervision over all court records, exhibits, documents, properties and supplies within her branch, subject only to the supervision and control of the Presiding Judge.[9] Specifically, she is charged with the efficient recording, filing and management

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[5] *Office of the Court Administrator vs. Benedicto,* 296 SCRA 62 (1998), citing *Re: Letter of Mr. Octavio Ralalo,* 231 SCRA 403 (1994), citing *Longbonn vs. Hon. Emilio L. Polig,* 186 SCRA 557 (1990); *De Leon vs. Castro,* 104 SCRA 241 (1981); and *In re: Judge F. Madara,* 104 SCRA 245 (1981).

[6] *Ibid.,* citing *Mamamayan ng Zapote I, Bacoor, Cavite vs. Balderian,* 265 SCRA 360 (1996).

7 *Ibid.,* citing *Re: Inventory of Cases in the RTC, Branch 11, Balayan, Batangas,* 234 SCRA 502 (1994).

[8] *Ibid.,* citing *Agcaoili vs. Ramos, supra.*

[9] *Ibid.*

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of court records, besides having administrative supervision over court personnel.[10] It is incumbent upon her to ensure an orderly and efficient record management system in the court and to supervise the personnel under her office to function effectively.[11] Had she been faithful to her duties, the subject court records could not have been misplaced.

We note the finding of the Court Administrator that while both respondents claimed that their transfer to another building in November, 1997 caused their records of cases submitted for decision to be misplaced, however, a perusal of the same records, reveals that there were 4 civil cases and 6 criminal cases submitted for decision which have remained undecided within the required 90-day period long before the date of their transfer. This fact certainly engenders serious doubt on the trustworthiness of their respective explanations.

WHEREFORE, the Court *RESOLVED* to:

1. Impose a *FINE* of ₱5,000.00 on Judge Reinato G. Quilala for failure to decide cases submitted for decision within the reglementary period, with a warning that a repetition of the same offense will be dealt with more severely.

2. *ADMONISH* Branch Clerk of Court Zenaida C. Reyes-Macabeo for her failure to indicate in the various Monthly Report of Cases submitted to the Office of the Court Administrator the cases submitted for decision, with a warning that a repetition of the same offense will be dealt with more severely.

SO ORDERED.

Melo (Chairman), Vitug, Panganiban, and *Gonzaga-Reyes, JJ.*, concur.

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[10] *Ibid.*, citing *Re*: *Report on the Judicial Audit Conducted in the RTC, Branches 61, 134 and 147,* Makati, Metro Manila (now City), 248 SCRA 5 (1995).

[11] *Ibid.*, citing *Juntilla vs. Calleja,* 262 SCRA 291 (1996).