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by petitioner and limit the dismissal of this petition on the ground of lack of standing of petitioner. A Fabian policy of leaving well enough alone is a counsel of prudence.

For these reasons and with due appreciation of the scholarly attention lavished by the majority opinion on the constitutional questions raised, I am constrained to limit my concurrence to the dismissal of this suit on the ground of lack of standing of petitioner and the consequent lack of an actual case or controversy.

THIRD DIVISION

[A.M. No. 99-11-423-RTC. August 16, 2000]

REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE REGIONAL TRIAL COURT, BRANCHES 87 AND 98, QUEZON CITY.

SYNOPSIS

The Office of the Court Administrator conducted an audit and physical inventory of pending cases in Branches 87 and 98 of the Regional Trial Court of Quezon City, presided over by Judge Elsie Ligot-Telan and Judge Justo M. Sultan, respectively. The audit team reported that Branch 87, presided by Judge Elsie Ligot-Telan who retired on September 6, 1999, has a well-managed docket, consisting of 155 criminal and 201 civil cases all of which were still within the reglementary period after submission. Branch 98, on the other hand, was found by the audit team to be very poor in terms of court management. Of the fifty-seven (57) cases submitted for decision, thirty-four (34) were already beyond the reglementary period, some of which involve detention prisoners. When directed to explain, respondent judge Sultan imputes the clogged condition of cases in Branch 98 to the additional workload as a designated Special

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Criminal Court, and as a Pairing Court for Branch 99. Furthermore, his confinement in the hospital owing to his failing health and old age contributed to his lapses as presiding judge of Branch 98. Respondent pointed out that had the Court Administrator acted on his request for an assisting judge, the situation in his court could have improved.

The Supreme Court found respondent judge's explanation unsatisfactory. According to the Court, the rules require the courts to decide cases ready for decision within three (3) months from date of submission. With respect to cases falling under the Rules on Summary Procedure, first level courts are only allowed thirty (30) days following the receipt of the last affidavit and position paper, or the expiration of the period for filing the same, within which to render judgment. However, in the case under consideration, subject cases have remained undecided beyond such period. There was no showing in the records of the present case that Judge Sultan asked for an extension. Judge Sultan ought to have known that the norm in regard to extension of the aforesaid reglementary period for decision has always been to ask this Court for the same, giving valid justification therefor.Respondent judge was fined in the amount of twenty thousand (₱20,000.00) to be withheld from his retirement benefits.

SYLLABUS

1. **POLITICAL LAW; ADMINISTRATIVE LAW; PUBLIC OFFICERS; JUDGES; FAILURE TO DECIDE CASES WITHIN THE REGLEMENTARY PERIOD IS INEXCUSABLE AND CONSTITUTES GROSS INEFFICIENCY.**— The Court reiterates that failure to decide cases within the required period is inexcusable and constitutes gross inefficiency which is a ground for administrative sanction against the defaulting judge, either by a fine or suspension from the service, depending on factors that tend to aggravate or mitigate his liability. This is in accordance with the mandate that the judge shall dispose of the business of the court promptly and decide cases within the prescribed periods.

2. **ID.; ID.; ID.; ID.; RESPONDENT JUDGE OUGHT TO HAVE KNOWN THAT THE NORM IN REGARD TO EXTENSION OF THE REGLEMENTARY PERIOD FOR DECISION HAS ALWAYS BEEN TO ASK THE COURT**

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FOR THE SAME, GIVING VALID JUSTIFICATION THEREFOR.— The Court is not unmindful of the Herculean task trial judges are faced with the perennial clogged dockets of the lower courts. However, this should not be an excuse for them to abdicate their duty to dispense justice. Judges must adopt a system of record management and organize their dockets in order to bolster the prompt and efficient dispatch of business. Delay in the disposition of cases erodes the faith and confidence of the people in the judiciary, lowers its standards and brings it into disrepute. Furthermore, if the caseload of the judge prevents the disposition of cases within the reglementary periods, he should ask this Court for a reasonable extension of time to dispose of the cases involved. This is to avoid or dispel any suspicion that something sinister is going on. But there is no showing in the records of the present case that Judge Sultan asked for such an extension. All that he did was to inform this Court in his letter of June 28, 1999 that in view of his up and coming retirement on November 2, 1999 "he can no longer render full and complete attention to his cases, including cases for decision." Having served as such judge for a considerable length of time, Judge Sultan ought to have known that the norm in regard to extension of the aforesaid reglementary period for decision has always been to ask this Court for the same, giving valid justification therefor.

3. **JUDICIAL ETHICS; JUDGES ARE REQUIRED TO MANAGE THEIR DOCKETS IN SUCH A MANNER THAT THE WORK OF THEIR COURT IS TO BE ACCOMPLISHED WITH REASONABLE DISPATCH.**— The rules require the courts to decide cases ready for decision within three (3) months from date of submission. With respect to cases falling under the Rules on Summary Procedure, first level courts are only allowed thirty (30) days following the receipt of the last affidavit and position paper, or the expiration of the period for filing the same, within which to render judgment. However, in the case under consideration, subject cases have remained undecided beyond such period. Canon 3, Rule 3.09 requires judges to manage their dockets in such a manner that the work of their court is to be accomplished with reasonable dispatch. The excuses respondent judge offered for the delay in resolving the aforesaid cases were incomplete and not entirely persuasive as to absolve him completely of any administrative liability.

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DECISION

PURISIMA, *J.*:

On September 15 to 17, 1999, the Office of the Court Administrator conducted an audit and physical inventory of pending cases in Branches 87 and 98 of the Regional Trial Court of Quezon City, presided over by Judge Elsie Ligot-Telan and Judge Justo M. Sultan, respectively.

The audit team[1] reported that Branch 87 has a well-managed docket, consisting of 155 criminal and 201 civil cases. When Presiding Judge Elsie Ligot-Telan retired on September 6, 1999, she left a number of undecided cases, all of which were still within the reglementary period after submission, to wit:

A. CRIMINAL[2] — One (1) Case.

B. CIVIL[3] — Seven (7) Cases.

In the case of Branch 98 it was found by the audit team to be very poor in terms of court management. Of the fifty-seven (57) cases submitted for decision, thirty-four (34) were already beyond the reglementary period, some of which involve detention

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[1] Composed of Atty. Ma. Carina M. Cunanan, Susan Luber, Charito C. Cruz, Regina A. Gimena and Ephraim R. Avanzado, with Justice Conrado M. Molina as Consultant.

[2] CRIMINAL CASE — 98-78148-49. Submitted for decision on August 18, 1999, with decision dated September 3, 1999, for release.

[3] CIVIL CASES:

a. 94-19380. Submitted for decision on August 27, 1999, with draft decision;

b. 98-34417. Submitted for decision on August 17, 1999;

c. 98-35348. Submitted for decision on August 17, 1999;

d. 98-33681. Submitted for decision on July 5, 1999, with draft decision;

e. 94-19213. Order issued on July 27, 1999, submitted within thirty (30) days, forwarded to Judge Teodoro Bay, Pairing Judge;

f. 99-37633. Submitted for decision on July 30, 1999;

g. 32619. Submitted for decision on July 5, 1999.

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prisoners. It was observed that the said branch gave the least preference to cases submitted for decision, and it has no effective docket system and recording of cases. In fact, the Branch Clerk of Court has not submitted the required docket and inventory of cases for a number of years. Undecided within the prescribed period before Branch 98 are:

A. CRIMINAL[4] — Thirty-one (31) Cases.

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[4] CRIMINAL CASES:

a. 98-77873. Submitted for decision on June 3, 1999;
b. 95-61663. Submitted for decision on October 1998;
c. 93-48014. Submitted for decision on July 16, 1998;
d. 94-57000 and 94-57001. Submitted for decision on March 4 1998;
e. 94-58765. Submitted for decision on March 5, 1998;
f. 93-51893. Submitted for decision on March 13,1997;
g. 95-64210. Submitted for decision on October 7, 1998;
h. 97-69441. Submitted for decision on February 24, 1999;
i. 94-57391. Submitted for decision on January 15, 1999;
j. 95-60037. Submitted for resolution on June 17, 1999;
k. 93-42642. Submitted for resolution on September 16, 1994;
l. 95-62313. Submitted for decision on July 2, 1998;
m. 96-68416. Submitted for decision on December 10, 1997;
n. 95-61872. Submitted for decision on March 12, 1997;
o. 96-65541. Submitted for decision on February 19, 1997;
p. 93-47574. Submitted for decision on September 25, 1996;
q. 94-52772, 94-52773, 94-52774, 94-52775, 94-52776, 94-52777. Submitted for decision on May 12, 1999;
r. 97-73352. Submitted for decision on May 11, 1999;
s. 97-69623. Submitted for decision on May 3, 1999;
t. 98-77939 and 98-77940. Submitted for decision on April 21, 1999;
u. 92-38786. Submitted for decision on February 26, 1999;
v. 95-61776. Submitted for decision on November 22, 1997;
w. 92-34370. Submitted for decision on April 30, 1997;
x. 94-59050. Submitted for decision on September 5, 1997;
y. Submitted for decision on December 17, 1997;

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B. CIVIL[5] — Three (3) Cases.

Records do not show that Judge Justo Sultan ever requested for an extension of time within which to decide the cases submitted before him.

When directed to explain[6] the cause for the delay in the disposition of the aforesaid cases, Judge Sultan asked for the consideration and understanding of the court. He lamented that since his mandatory retirement on November 2, 1999, he has suffered much from economic dislocation, as a result of the non-release of his retirement benefits pending termination of this administrative case.

He stressed that when Justice Molina, who was with the audit team as Consultant, learned of the state of affairs in subject sala, the former advised him to immediately stop conducting trials and just concentrate on deciding cases. He then sent a letter to the Court Administrator on June 28, 1999, requesting for an assisting judge.

Respondent imputes the clogged condition of cases in Branch 98 to the additional workload as a designated Special Criminal Court,[7] and as a Pairing Court for Branch 99. Furthermore, his confinement in the hospital owing to his failing health and old age contributed to his lapses as presiding judge of Branch 98. Respondent pointed out that had the Court Administrator acted on his request for an assisting judge, the situation in his court could have improved.

Except for the aforestated general allegation, however, respondent judge has not given any specific explanation for failing to decide the cases mentioned in the Court's Resolution of December 7, 1999.

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[5] CIVIL CASES:

a. 94-20287. Submitted for decision on August 17, 1998;

b. 98-10354. Submitted for decision on November 27, 1998;

c. 99-36859. Submitted for decision on June 7, 1999.

[6] Resolution of dated December 7, 1999.

[7] Designated as such on November 12, 1996.

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As regards his failure to submit the required Docket and Inventory of Cases since his appointment in 1993, respondent professed that he was unaware of the non-compliance until he got wind of it through the Resolution dated December 7, 1999. Considering that he received his salary regularly until his retirement in October of 1999, he assured that there have been no problem with his performance that would call for sanctions against him.

Respondent also reasoned that he was always been of the belief that his Branch Clerk of Court had complied with the requirements as the latter allegedly assured him that the periodic report pertaining to the inventory of cases had been promptly sent to the Office of the Court Administrator. He disclosed that Atty. Reynaldo Elcano performed his duties faithfully and well during the seventeen (17) years that he was the Branch Clerk of Court so much so that he trusted him in the management of the court.

Finally, the respondent went on to paint a picture of dedicated government service, placing reliance on his sixteen (16) years in the judiciary, which he allegedly rendered with competence and loyalty.

On June 27, 2000, respondent judge manifested that he is submitting the case on the basis of records.[8]

After a careful examination of the records on hand, the Court finds the explanation of the respondent judge to be unsatisfactory.

At the outset, the Court reiterates that failure to decide cases within the required period is inexcusable and constitutes gross inefficiency which is a ground for administrative sanction against the defaulting judge,[9] either by a fine or suspension from the service, depending on factors that tend to aggravate or mitigate

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[8] *Rollo.*

[9] Report on the Judicial Audit in RTC, Br. 27, Lapu-lapu City, 289 SCRA 398, 404.

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his liability.[10] This is in accordance with the mandate that the judge shall dispose of the business of the court promptly and decide cases within the prescribed periods.[11]

Conformably, the rules require the courts to decide cases ready for decision within three (3) months from date of submission. With respect to cases falling under the Rules on Summary Procedure, first level courts are only allowed thirty (30) days following the receipt of the last affidavit and position paper, or the expiration of the period for filing the same, within which to render judgment.[12] However, in the case under consideration, subject cases have remained undecided beyond such period. Canon 3, Rule 3.09 requires judges to manage their dockets in such a manner that the work of their court is to be accomplished with reasonable dispatch.[13] The excuses respondent judge offered for the delay in resolving the aforesaid cases were incomplete and not entirely persuasive as to absolve him completely of any administrative liability.

The Court is not unmindful of the Herculean task trial judges are faced with the perennial clogged dockets of the lower courts. However, this should not be an excuse for them to abdicate their duty to dispense justice. Judges must adopt a system of record management and organize their dockets in order to bolster the prompt and efficient dispatch of business.[14] Delay in the disposition of cases erodes the faith and confidence of the people in the judiciary, lowers its standards and brings it into disrepute.[15]

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[10] *Bernardo vs. Fabros*, 307 SCRA 28, 36 citing: *Report on the Judicial Audit Conducted in RTC-Branches 29 and 59, Toledo City*, 292 SCRA 8.

[11] Rule 3.05, Canon 3, Code of Judicial Conduct.

[12] *Raboca vs. Pantanosas, Jr.*, 245 SCRA 293, 295; citing: Section 15, Article VIII, Constitution of the Philippines and Section 10, Revised Rules on Summary Procedure.

[13] *Re: Report on the Judicial Audit of Cases in the Regional Trial Court, Branch 35, Iriga City*, 299 SCRA 382, 387.

[14] *Bernardo vs. Fabros, supra*, p. 35 citing: Cf. paragraph 8 of Canon of Judicial Ethics.

[15] *Abarquez vs. Rebosura*, 285 SCRA 109, 120 citing: *Report on the Audit and Inventory of Cases in the RTC, Branch 11, Balayan, Batangas*,

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Furthermore, if the caseload of the judge prevents the disposition of cases within the reglementary periods, he should ask this Court for a reasonable extension of time to dispose of the cases involved. This is to avoid or dispel any suspicion that something sinister is going on.[16] But there is no showing in the records of the present case that Judge Sultan asked for such an extension. All that he did was to inform this Court in his letter of June 28, 1999 that in view of his up and coming retirement on November 2, 1999 "he can no longer render full and complete attention to his cases, including cases for decision." Having served as such judge for a considerable length of time, Judge Sultan ought to have known that the norm in regard to extension of the aforesaid reglementary period for decision has always been to ask this Court for the same, giving valid justification therefor.

Similarly, the Court is unconvinced of Judge Sultan's vain attempt to evade accountability for his failure to submit the periodic docket inventories[17] by passing the blame to his Clerk of Court. This attitude towards his very own duties is unacceptable. Proper and efficient court management is the responsibility of the judge. He is the one directly responsible for the proper discharge of his official functions.[18] It is incumbent upon him to devise an efficient recording and filing system in his court so that no disorderliness can affect the flow of cases and their speedy disposition.[19] A judge cannot simply take refuge behind the inefficiency or mismanagement of his

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A.M. No. 93-11-1311-RTC, July 26, 1994, 234 SCRA 502 and *Re: Judge Luis B. Bello, Jr.*, A.M. No. 95-3-89-RTC, August 23, 1995, 247 SCRA 519.

[16] *Bolalin vs. Occiano,* 266 SCRA 203, 208.

[17] As mandated by Administrative Circulars Nos. 1 dated January 28, 1988, 10-94 dated June 29, 1994; 17-94 dated November 14, 1994.

[18] *Abarquez vs. Rebosura, supra,* pp. 120-121 citing: *Agcaoili vs. Ramos, etc.*, A.M. No. MTJ-92-6-251, February 7, 1994, 229 SCRA 705.

[19] *Office of the Court Administrator vs. Villanueva*, 279 SCRA 267, 273.

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court personnel, for the latter are not the guardians of the former's responsibility.[20]

Be that as it may, the Court deems it necessary to temper respondent's liability in light of the undeniable fact that, as shown by his medical certificate, he had to contend with an illness during the later part of his service in the judiciary, which illness undoubtedly contributed to the deterioration of his health and adversely affected his work efficiency.

WHEREFORE, the Court finds Judge Justo M. Sultan *ADMINISTRATIVELY LIABLE* for failure to dispose subject cases within the prescribed period and to submit the required periodic inventory of cases, and hereby penalizes him with a *FINE* of Twenty Thousand (₱20,000.00) Pesos, to be taken from his withheld retirement benefits.

SO ORDERED.

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

SECOND DIVISION

[A.M. No. P-00-1409. August 16, 2000]

CHRISTOPHER VALENCIA, *complainant, vs.* **RODOLFO L. VALEÑA, Sheriff IV, RTC, Branch 63, Calauag, Quezon,** *respondent.*

SYNOPSIS

The Municipal Trial Court of Tangkayan, Quezon, rendered judgment declaring complainant entitled to the possession of

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[20] *Lagatic vs. Peñas, Jr.*, 276 SCRA 46, 53 citing: *Tan vs. Madayag*, 231 SCRA 62 and *Nidua vs. Lazaro*, 174 SCRA 581.