

**\*\*Title:\*\*** Ignacio Hermosa v. Jesus Paraiso

**\*\*Facts:\*\*** Ignacio Hermosa of Cataingan, Masbate, lodged an unverified administrative complaint dated October 31, 1972, against Jesus Paraiso, who served as the branch clerk of Branch II of the Court of First Instance of Masbate in Cataingan. The complaint outlined four allegations of irregularities in office purportedly committed by Paraiso. Following the procedure mandated by judicial administrative oversight, the Judicial Superintendent, representing the Secretary of Justice, designated Judge Isabelo D. Kaindoy as the district executive judge to conduct an investigation and offer a report and recommendation. This process was initiated through an endorsement on February 16, 1973.

Despite several notices sent to Hermosa to appear in court, he never did, and the communications were returned with a notation indicating Hermosa was “deceased”. Furthermore, certifications from both the Local Civil Registrar and the local parish priest evidenced that Hermosa’s name was not found in the birth records of Cataingan, Masbate. The investigation also involved inquiries with individuals purportedly victimized by Paraiso and representatives from the Provincial Auditor and Provincial Treasurer regarding the alleged misappropriation of funds. None of these parties substantiated the claims of irregularities or expressed awareness of any cause for complaint against Paraiso. A fifth charge regarding Paraiso’s alleged inefficiency in office was assessed through comments from Judge Pedro C. Quitain, who recommended Paraiso’s resignation.

Paraiso passed away on August 1, 1974, a fact officially confirmed to the Court with a death certificate received on January 31, 1975.

**\*\*Issues:\*\*** The principal legal issue before the Supreme Court was whether the administrative complaint against Paraiso should proceed to a conclusion and a finding of liability or exoneration, despite the complainant’s unverified status and non-appearance, as well as the respondent’s death.

**\*\*Court’s Decision:\*\*** The Supreme Court decided to resolve the case despite Paraiso’s death, aiming to protect his heirs’ entitlement to any retirement gratuity and accrued benefits, unless his guilt was duly established. Given the lack of substantive evidence validating the allegations against Paraiso, substantiated during the investigation conducted in his lifetime, the Court dismissed the administrative case.

**\*\*Doctrine:\*\*** This case reaffirms the doctrine that an administrative case may be resolved posthumously to ensure that the decedent’s heirs are not unjustly deprived of benefits due

to unresolved allegations, provided that the allegations were not substantiated.

**\*\*Class Notes:\*\***

- **\*\*Administrative Proceedings in Judicial Context:\*\*** Highlights the administrative procedure within the judiciary for handling complaints against court personnel, showing the requirement for investigation, report, and recommendation.
- **\*\*Posthumous Resolution of Administrative Cases:\*\*** Emphasizes the Supreme Court's willingness to concretely resolve administrative complaints against judicial personnel, even after the respondent's death, to ensure rightful entitlement of benefits to the heirs.
- **\*\*Evidence Requirement:\*\*** Illustrates the need for substantive evidence in administrative complaints for actions to be taken against the respondent.
- **\*\*Procedural Due Diligence:\*\*** Underlines the importance of procedural diligence, including attempting to notify complainants and seeking corroborative evidence from potentially impacted parties.

**\*\*Historical Background:\*\*** This case occurred during a crucial period of Philippine history, under the new administrative supervisory powers vested in the Supreme Court by the 1973 Constitution. It demonstrates the evolving procedures for administrative oversight within the judiciary, emphasizing the balance between accountability and the provision of due benefits, aligned with the broader constitutional and governance reforms of the era.