

****Case Title:**** Bernardino Marcelino vs. The Hon. Fernando Cruz, Jr., as Presiding Judge of Branch XII of the Court of First Instance of Rizal, People of the Philippines, and the Provincial Warden of the Provincial Jail of Rizal

****Facts:****

On [Date Unknown], Bernardino Marcelino was charged with the crime of rape before the Court of First Instance (CFI) of Rizal, Branch XII. The trial commenced and concluded on August 4, 1975, when the defense rested its case. Both parties' attorneys sought additional time to submit their memoranda, which the trial court granted with a 30-day deadline, after which the case was considered submitted for decision.

Counsel for the petitioner submitted his memorandum on time, but the People's memorandum was not filed. On November 28, 1975, 85 days after the case was considered submitted, Presiding Judge Fernando Cruz, Jr. filed the decision with the Deputy Clerk of Court for promulgation. Notice of the decision's submission was sent to the relevant parties and was received between December 2 and 9, 1975.

On the scheduled promulgation date, counsel for the accused moved for a postponement, raising the issue of the court's loss of jurisdiction for failing to decide the case within the mandated 90 days. The promulgation was reset to January 19, 1976. On January 19, 1976, another motion to reset the promulgation was requested and granted, moving it to January 26, 1976. On January 12, 1976, counsel for the accused filed a petition for prohibition and a writ of habeas corpus with the Supreme Court. The Supreme Court issued a temporary restraining order on January 16, 1976, preventing the respondent judge from promulgating the decision.

****Issues:****

1. Whether the failure to decide a case within 90 days from submission results in the loss of jurisdiction of the court over the case.
2. Whether the petitioner's right to habeas corpus was violated due to the delayed decision-making process.

****Court's Decision:****

1. ***Loss of Jurisdiction:***
 - The Supreme Court held that the constitutional provision prescribing that cases must be decided within 90 days is mandatory in guiding judges but non-compliance does not result in the loss of jurisdiction. The decision was made on November 28, 1975, which falls within

the 90-day period (85 days), thus the trial court retained its jurisdiction.

- The Supreme Court emphasized that the term 'rendition' refers to the act of filing the signed decision with the clerk of court, not its promulgation. The delay due to procedural aspects such as notifying the parties for promulgation is beyond the judge's control and does not impact jurisdiction.

2. *Habeas Corpus Petition:*

- The petition for habeas corpus is also dismissed. Non-compliance with the 90-day rule could not be a ground for declaring the petitioner's detention unlawful, as the decision was deemed valid and timely within the prescribed constitutional period.

Doctrine:

- Constitutional provisions regarding the period for deciding cases (Section 11, Article X, 1973 Constitution) are considered mandatory in guiding judicial conduct but are directory when considering the validity and jurisdiction of a court's decision. Failure to decide within this period may subject a judge to administrative sanctions but does not invalidate the decision or result in loss of jurisdiction.

- 'Rendition of judgment' in trial courts is referring to filing the signed decision with the clerk of court, not its promulgation.

Class Notes:

1. **Constitutional Deadlines for Judicial Decisions:** Section 11, Article X of the 1973 Constitution mandates a three-month period for judges of lower courts to decide on cases from the date of submission.

2. **Mandatory vs. Directory Provisions:** Constitutional and statutory provisions are generally mandatory. However, procedural provisions, like deadlines for judgment, may be held directory to avoid rendering decisions invalid due to non-compliance.

3. **Administrative Sanctions:** Judges failing to adhere to this period may face administrative consequences but not nullification of their judgments.

4. **Rendition vs. Promulgation:** Rendition is the act of filing the signed decision, where jurisdiction is determined. Promulgation involves notifying parties and formally announcing the decision and follows the rendition.

Historical Background:

The case arose during a time when the 1973 Constitution governed, establishing deadlines for judicial review aimed at ensuring efficiency within the judicial system. This period was

marked by efforts to streamline judicial processes and safeguard timely justice, reflecting the guidelines and challenges faced by the judiciary in balancing procedural efficiency against administrative capacity.