

Title: Investigation Report on the Alleged Extortion Activities of Presiding Judge Godofredo B. Abul, Jr.

Facts:

Judge Godofredo B. Abul, Jr., then serving as the Presiding Judge of Branch 4, Regional Trial Court of Butuan City, Agusan Del Norte, was accused of extorting money from detainees of the Provincial Jail of Agusan. Specifically, it was alleged that Judge Abul demanded between P200,000.00 and P300,000.00 to release inmates or dismiss their criminal cases. The Office of the Court Administrator (OCA) initiated an investigation based on a letter from Rev. Father Antoni A. Sanial, who alleged these extortions. The investigation by the OCA confirmed the allegations and classified his actions as grave misconduct, recommending a fine of P500,000.00 to be deducted from his retirement gratuity.

While the administrative case was pending review by the Supreme Court, Judge Abul was shot by unidentified assailants and subsequently died. His spouse, Bernadita C. Abul, who survived the ambush, filed a Motion for Reconsideration. She argued that her husband's death should result in the dismissal of the administrative case, citing his incapacity to defend himself and to highlight that the substantive rights to due process and presumption of innocence should persist beyond his death.

Issues:

1. Whether the death of a respondent in an administrative case should result in the dismissal of the case.
2. Whether the presumption of innocence and the respondent's right to due process apply in administrative cases after death.
3. Whether the death of Judge Abul extinguishes his administrative liability, including the forfeiture of retirement benefits.
4. Consideration of humanitarian grounds in dismissing the case and providing relief to the heirs.

Court's Decision:

1. ****Death and Administrative Liability****: The Supreme Court granted the Motion for Reconsideration, reversing its earlier decision which held Judge Abul liable despite his death. It declared that the death of a respondent during the pendency of an administrative case, before final judgment, results in the dismissal of the case. This upholds the doctrine that public office is a public trust but must also respect constitutional rights to due process and the presumption of innocence.

2. ****Presumption of Innocence and Due Process****: The Court, citing the 1987 Constitution and procedural due process requirements, underscored that an individual is presumed innocent until proven guilty. For administrative cases where the standard of proof is 'substantial evidence,' this presumption remains significant. In this scenario, since Judge Abul died before a final decision, the presumption of innocence must be applied, warranting the dismissal of the case.

3. ****Extinguishment of Liability****: Analogous to criminal liability, which extinguishes upon the death of an accused before final judgment, the Court decided that administrative liability should also be extinguished upon the death of the respondent before final judgment. Therefore, the administrative proceedings against Judge Abul were dismissed, including the imposed penalty of forfeiture of his benefits.

4. ****Humanitarian Considerations****: The Court acknowledged the financial hardship faced by the surviving spouse and other humanitarian considerations, advocating that penalizing the heirs for Judge Abul's actions without an adjudged decision would be excessively harsh. The administrative case's dismissal would alleviate unnecessary penalties on innocent parties related to the respondent.

Doctrine:

1. Administrative proceedings against a public servant are terminated upon the death of the respondent before final judgment, ensuring respect for constitutional rights such as due process and presumption of innocence.
2. The principle of extinguishing liability upon death applies not only to criminal cases but extends to administrative proceedings given the constitutional protections under Article III, Section 14.

Class Notes:

- Key Legal Principles: Presumption of Innocence (1987 Constitution, Article III, Section 14), Due Process (Article III, Section 1), Extinguishment of Liability (Revised Penal Code, Article 89).
- Application: Extends the extinguishment of liability upon death seen in criminal law to administrative proceedings.

Historical Background:

This case reflects the judiciary's evolving stance on procedural due process and constitutional rights within administrative proceedings in the Philippines. It underscores a

critical juncture where the principles upholding public office as a public trust are balanced against fundamental individual rights. This development contextualizes administrative law within a broader constitutional framework, reflective of the judiciary's commitment to due process and judicial propriety even after an individual's death.