

Title: Esturas v. Lu, A.M. No. RTJ-20-2595

Facts:

1. February 4, 2009 - Atty. Marsha B. Esturas, representing plaintiffs, filed a civil case entitled "Mrs. Agnes Rafols-Domingo, et al. vs. Florante Gloriani, et al." in the Regional Trial Court, Branch 88, Cavite City, presided over by Judge Agapito S. Lu.
2. Defendants filed a motion to dismiss citing improper service of summons.
3. June 10, 2009 - Plaintiffs filed a Motion to Serve Summons by Publication.
4. October 26, 2009 - Plaintiffs filed a Motion to Resolve Immediately the Motion to Serve Summons by Publication.
5. February 4, 2010 - Atty. Esturas filed an Administrative Complaint with the Office of the Court Administrator (OCA) alleging that Judge Lu was causing undue delay in resolving the motion pending in the civil case.
6. Respondent Judge Lu alleged that Atty. Esturas requested a deferment of resolving motions to negotiate a settlement with Atty. Arnel G. Espiritu.
7. Respondent's Branch Clerk of Court, Atty. Jordan J. Teaño, kept the records pending negotiations and did not submit them to Judge Lu until April 16, 2010.
8. Administrative proceedings were initiated upon the Investigating Justice's report recommending a fine for Judge Lu due to the delay in resolving motions, finding his excuses unsubstantiated.

Issues:

1. Whether Judge Agapito S. Lu committed conduct unbecoming a judge by failing to resolve the Motion to Serve Summons by Publication within the reglementary period.
2. Whether the delay in the resolution of the motion was justified by the alleged settlement negotiations.
3. Whether Atty. Marsha B. Esturas should be disbarred based on respondent's counter-complaint accusing her of violating the Code of Professional Responsibility.

Court's Decision:

1. The Supreme Court found Judge Lu liable for undue delay in resolving the case. The

Court emphasized the judge's responsibility to dispose of motions and business promptly, as mandated by the Constitution and the Code of Judicial Conduct.

2. The Court rejected Judge Lu's justifications for the delay, reiterating that a judge cannot use staff's shortcomings to shield themselves from accountability. The court underscored the importance of managing court proceedings efficiently and maintaining formal records.

3. On the counter-complaint against Atty. Esturas, the Court dismissed this for lack of merit, noting that the allegations were unsubstantial.

Doctrine:

1. Judges must resolve cases and motions within the three-month period prescribed by the Constitution and the Code of Judicial Conduct.

2. The efficiency of court management ultimately rests on the judge, and failure to effectively manage court proceedings can result in administrative sanctions.

Class Notes:

- Key Concept: Undue Delay in Judicial Proceedings.

- Judges have a constitutional duty to resolve motions within a 90-day period (Section 15(1), Article VIII, 1987 Constitution).

- Gross inefficiency can lead to administrative sanctions against a judge (Rule 140, Rules of Court).

Historical Background:

This case reflects the ongoing challenges within the Philippine judiciary related to delays in court proceedings. The ruling emphasizes the judiciary's commitment to timely justice delivery and maintaining public confidence in the system by holding judges accountable for inefficiencies.