

**\*\*Title:\*\*** Lucero v. Judge Bangalan

**\*\*Facts:\*\***

On August 15, 2003, Emelie Taguba Lucero filed a complaint with the Office of the Court Administrator against Judge Felino U. Bangalan, presiding over the Municipal Circuit Trial Court of Allacapan, Cagayan. Lucero alleged Gross Ignorance of the Law by Judge Bangalan for Rendering an Unjust Judgment, among other violations including Republic Act No. 6713, the Code of Conduct and Ethical Standards for Public Officials and Employees, and specific Rules of Summary Procedure.

The complaint arose from three separate forcible entry cases initiated against Lucero:

1. Civil Case 250-L by Wilfredo Garo
2. Civil Case 249-L by Rogelio Antonio
3. Civil Case 248-L by Federico Aguinaldo

The respondent judge's office erroneously issued summonses that did not indicate that the cases were subject to summary procedure, stating a 15-day period for filing an answer instead of the 10 days required under the summary rules. The summonses were served to Rendon Rivera, allegedly a nephew of Lucero, which confused her due to defects and misleading requirements.

Ignoring these deficiencies, Lucero filed her answers on November 26, 2002. However, during the preliminary conference set for January 15, 2003, attendance was essential. The conference for Civil Case Nos. 250-L and 249-L was moved to February 6, while Civil Case No. 248-L was rescheduled to February 16, a Sunday. Before the conferences, on February 12, Judge Bangalan decided against Lucero due to her absence at the preliminary conference, ordering her to vacate the premises subject to the suits.

Lucero appealed these decisions to the Regional Trial Court (RTC) of Ballesteros, Cagayan, Branch 33, which annulled the earlier decisions due to a denial of her right to be heard, citing communication errors and mandatory procedural violations. The RTC noted respondent Judge Bangalan's failure to recognize pre-trial requirements adherence by initiating a judgment based merely on the defendants' absence.

**\*\*Issues:\*\***

1. Whether judge Bangalan displayed gross ignorance of the law by failing to enforce the correct procedural rules under the Revised Rule on Summary Procedure.
2. Whether Judge Bangalan committed an administrative violation by unjustly rendering a

judgment and violating Republic Act No. 6713, concerning ethical standards for public officials.

3. The appropriateness of delegating procedural errors solely upon subordinates instead of assuming responsibility.

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

1. **\*\*Procedural Violations:\*\*** The Supreme Court found Judge Bangalan guilty of violating the Revised Rule on Summary Procedure by issuing defective summonses and improperly scheduling the pre-trial conference for a Sunday, highlighting a neglect of due diligence expected in judicial processes. Thus, a P12,000 fine was imposed.

2. **\*\*Judgment Allegations:\*\*** The allegations that Judge Bangalan rendered an unjust judgment and violated R.A. No. 6713 were unsubstantiated. The complainant failed to provide substantial evidence to prove malice or a breach of ethical standards.

3. **\*\*Responsibility and Management:\*\*** Citing his failure to oversee his staff's errors, the court reinforced the doctrine that judges must take accountability for their court's procedural operations. Excuses about staff negligence don't absolve judicial responsibility in ensuring justice and procedural integrity.

**\*\*Doctrine:\*\***

- Judges must personally ensure procedural adherence and cannot rely solely on staff competence for judicial procedural compliance.
- Errors in summons and case scheduling fall under the direct oversight of judges, necessitating judicial accountability.
- The Independence and efficiency of the judiciary largely depend on judges maintaining an intimate knowledge of the law alongside administrative competencies.

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

- Under the Revised Rule of Summary Procedure, answers must be submitted within 10 days from receiving summons, specifically in forcible entry cases.
- Efforts to shift the responsibility of procedural errors while serving as a judicial officer are professionally unacceptable and subject to administrative discipline.
- Burden of Proof: Complainants in administrative cases bear the obligation to manifest clear and convincing evidence against the accused figure.

**\*\*Historical Background:\*\***

This case exemplifies the judicial emphasis on accountability and procedural integrity within

Philippine courts. It underscores the systemic checks that uphold not only the substantive outcomes of judgments but also the procedural fidelity of judicial officers. The case offers historical insight into the Philippine judiciary's ongoing commitment to refining its administrative processes, ensuring its arbiters live up to both ethical and procedural standards.