ANONYMOUS, COMPLAINANT, VS. HON. JACINTO M. DELA CRUZ, JR., PRESIDING JUDGE, BRANCH 81, REGIONAL TRIAL COURT, ASINGAN, PANGASINAN, RESPONDENT.

A.M. No. RTJ-25-112 [Formerly JIB FPI No. 22-185-RTJ]. February 04, 2026

Ponente: LAZARO-JAVIER, J.

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LAZARO-JAVIER, J.:

The Complaints Docket Services, Office of the Executive Director, Judicial Integrity Board (JIB) received an Anonymous Letter dated July 5, 2022 involving respondent Judge Jacinto M. Dela Cruz, Jr. (Judge Dela Cruz, Jr.), presiding judge, Branch 81, Regional Trial Court, Asingan, Pangasinan, viz.:

> Gusto ko po sanang ipaalam sa inyo ang hindi Magandang ginagawa ni JUDGE JACINTO DELA CRUZ ng Branch 33 ng RTC, Bauang, La Union. Kapag nagrerender siya ng Decision sa criminal cases on-line, iyong dispositive portion ang nababasa lang. Pagkatapos, matagal po niyang nilalabas iyong hard copy ng Decision. May mga Decisions na naacquit iyong mga akusado, hanggang ngayong wala pang copy ng Decision. Hindi sila makakuha ng court clearance. Nakakaawa din iyong sitwasyon ng mga convicted kasi hindi sila makapag-a[p]peal hanggat hindi nila narereceive iyong kopya ng Decision. May mga naconvict na ng matagal, hanggang ngayon wala pa iyong hard copy ng Decision. Mga abogado at relatives ng akusado ay nagfafalow-up pero wala pa rin. Nirereport na disposal ng Clerk of Court pero walang hard copy ng Decision. Pwde niyo pong icheck iyong reports ng RTC 33[.][1]

In its Report and Recommendation[2] dated August 18, 2022, the JIB-Office of the General Counsel, through Atty. Romulo A. Paras, Jr., recommended the referral of the matter to the Office of the Court Administrator (OCA) for investigation and report. From July 3 to 7, 2023, an OCA Investigation Team did a spot audit and investigation of Branch 33, Regional Trial Court, Bauang, La Union. Per its subsequent Report[3] dated August 15, 2023, the OCA recommended that its Investigation Report and the Anonymous Letter dated July 5, 2022 be considered a formal administrative complaint against Judge Dela Cruz, Jr. After due proceedings, the OCA Investigation Team submitted the following findings, thus:

1. Judge Dela Cruz acted with gross inefficiency and/or gross neglect of duty by knowingly circumventing the mandatory period of 90 days or three months within which to resolve or to decide cases by making it appear that cases were decided and promulgated within the reglementary period but hard copies of the complete Decision were issued several months after promulgation and antedating the same making it appear that it was decided within the required 90-day period;

2. He violated Article VIII, Section 14 of the Constitution;[4]

3. He is liable for utter disregard of court procedure in promulgating judgement[s] and the right of the accused to be informed of the facts and law on which such judgment is based; and

4. He is also liable for his false statement in his Certificate of Service by claiming that he decided cases within the reglementary period. Specifically, he stated that all his cases for the months of March, June, August, and October

2022, were decided within three months from the date of submission following Article VIII, Section 15(1) and (2) of the Constitution.[5]

More, Atty. Schelma Surating-Yanguas (Atty. Surating-Yanguas), the branch clerk of court, informed the OCA Investigation Team that the records of some promulgated cases were not currently in the physical custody of the court since Judge Dela Cruz, Jr. brought them home and had yet to return them.[6] She likewise confirmed that the hard copies of the promulgated decisions were belatedly furnished to party-litigants.[7] As of July 4, 2023, Atty. Surating-Yanguas was able to certify that at least 21 case records were still in the possession of Judge Dela Cruz, Jr.[8] Consequently, the OCA Investigation Team recommended the filing of administrative charges against Judge Dela Cruz, Jr. for gross misconduct and falsification of official documents.[9]

Per its 1st Indorsement[10] dated September 26, 2023, the JIB directed Judge Dela Cruz, Jr. to file his verified comment on the Anonymous Letter dated July 5, 2022 and to show cause why he should not be held liable, as a member of the Philippine Bar, for possible violations of the Code of Professional Responsibility and Accountability (CPRA).[11]

In his Verified Comment[12] dated November 7, 2023, Judge Dela Cruz, Jr. admitted the lapses and delays but reasoned that the same came about only because he needed additional time for further proofreading, editing, and other related tasks. This was aggravated by certain unfortunate events in his life, both personal and work-related, viz.:

> 13. With all humility and candor, the undersigned hereby admits on bended knees that indeed most of the hearings and promulgation of judgments were done through videoconferencing during the COVID-19 pandemic.
>
> 14. As borne by the recordings of the video conference hearings conducted, before promulgation, counsels were asked on how the judgment be promulgated either in full text or dispositive portion only. Most of the time, the counsels would opt for the reading of the dispositive portion only.
>
> 15. When the judgement is for acquittal, the accused who is in detention is immediately ordered release[d] from detention, in the absence of any further legal impediment that may cause his/her further detention. The undersigned would ensure that the person deprived of liberty (PDL) who was acquitted be immediately released from detention, on the same day of promulgation at most.
>
> 16. Considering that the judgment had been promulgated on-line or via video conference hearing, the Clerk of Court would usually state in the monthly report that it is already decided/disposed. (Emphasis in the original).[13]

Report and Recommendation of the JIB

In its Report and Recommendation[14] dated November 4, 2025, the JIB recommended that Judge Dela Cruz, Jr. be held liable for gross misconduct constituting violations of the Code of Judicial Conduct, falsification of official documents, and gross misconduct as a member of the Philippine Bar.[15]

The JIB found that the Decisions were released three to 11 months after their promulgation. He should have proofread his decisions before their promulgation and not afterwards.[16] Instead of antedating the Decision or releasing its hard copies several months after its promulgation, he should have requested from the Court an extension of time to resolve the cases. He deceived the Court and made it appear that he complied with the 90-day reglementary period to resolve cases when in truth he did not.[17]

Worse, he falsified his monthly certificates of service.[18] He, too, made false statements that he resolved cases within the reglementary period, albeit he only read the dispositive portions of the supposed Decisions to the

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parties. Due to his misrepresentations, he should be held liable for gross misconduct as a member of the Philippine Bar in violation of Canon II, Section 11, Canon I, Section 1, and Canon IV, Section 33(a), of the CPRA.[19]

In sum, the JIB recommended that Judge Dela Cruz, Jr. be found guilty of gross misconduct as a member of the bench, and suffer the penalty of dismissal from the service with forfeiture of all benefits except accrued leave credits, and prohibition from employment in any government agency or instrumentality, including government-owned or controlled corporations.[20] It likewise recommended that Judge Dela Cruz, Jr. be ordered to pay a PHP 51,000.00[21] fine for gross misconduct as a member of the Philippine Bar.

Our Ruling

A.M. No. 25-04-04-SC or the 2025 Code of Judicial Conduct and Accountability (CJCA), which took effect on December 21, 2025, states that: (a) it applies to all incumbent justices and judges in the Philippine Judiciary;[22] and (b) its provisions shall apply to all pending and future cases, except to the extent that retroactive application would not be feasible or would work injustice, in which case the procedure under which the cases were filed shall govern.[23] Thus, We ascertain Judge Dela Cruz, Jr.'s liability guided by the principles contained therein.

Misconduct is defined as "a transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by the public officer." To differentiate gross misconduct from simple misconduct, any of the elements of corruption, clear intent to violate the law, or flagrant disregard of an established rule, must be manifest in the former.[24]

Corruption, as an element of gross misconduct, consists in the act of an official or fiduciary person who unlawfully and wrongfully uses their station or character to procure some benefit for themselves or for another person, contrary to duty and the rights of others.[25]

We emphasize, however, that the assailed actions of Judge Dela Cruz, Jr. were not shown to have been tainted with corruption, clear intent to violate the law, or flagrant disregard of an established rule.

Allegedly, he: (1) antedated his decisions, (2) promulgated only the dispositive portions of these decisions via videoconferencing, and (3) released hard copies of these promulgated decisions on much later dates. This was purportedly corroborated by the OCA Investigation Report which revealed that these decisions took three to 11 months to be released to the parties after promulgation. He allegedly falsified his monthly certificates of service by certifying that he resolved all his cases for the months of March, June, August, and October 2022, within three months from the date of submission following Article VIII Section 15(1) and (2) of the Constitution, when in truth he simply announced to the parties via video conferencing the supposed dispositive portions of his decisions. No hard copies of the Decisions were released to the parties on the day of the promulgation itself or within a reasonable period thereafter.

Nonetheless, Judge Dela Cruz, Jr. explained that although there were Decisions which he promulgated by simply reading their dispositive portions via videoconferencing, he did so only after the parties and their counsels themselves opted for a reading of the dispositive portions instead of the full decisions.[26]

Time and again, the Court has expressed its disapproval[27] of "sin perjuicio" judgments or a judgment without a statement of the facts in support of its conclusion, albeit the same are later on supplemented by the final judgment, as here. Even then, the cases involved here were circa 2020-2022, the peak of the COVID-19 pandemic. Everyone at that time was still in transition to the so-called "new normal," including the more prominent use of remote hearings through videoconference platforms. Anxiety and confusion were at their highest level. Thus, for humanitarian and practical considerations, We ought to provide leeway in terms of implementing videoconference

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hearings during the peak years of the COVID-19 pandemic. For this reason, therefore, and in the absence of any showing of malice or underhanded tactics on the part of Judge Dela Cruz, Jr., his promulgation of decisions online by reading only their dispositive portions deserves utmost understanding, but not without a strong warning that it should never happen again. Otherwise, a more severe penalty will be imposed on him.

As for the release of hard copies of decisions only three to 11 months after their promulgation, Judge Dela Cruz, Jr. readily admits his faults.[28] He nevertheless cites several reasons for the delay. First. He needed additional time to proofread and edit his decisions because for five years he had no legal researcher assisting him.[29] Second. He contracted COVID-19 twice in 2023.[30] Third. His sister, who was taking care of their ill mother, became physically paralyzed.[31] Fourth. Both his parents passed away in 2022, as supported by their respective death certificates.[32] Fifth. Hard copies of his judgements were already released to all parties and their motions for reconsideration were timely resolved. The hard copies of the resolutions of their motions were likewise released to them. Last. He has no backlogs in his current docket.[33] Still, he "appeals and knocks [on] the [Court's] compassionate heart to have pity [on] a child who committed a mistake to give him a chance to change and not to commit same mistake again."[34]

Judge Dela Cruz, Jr.'s explanations are well-taken considering the real challenges and difficulties encountered by members of the bench, and society in general, as a result of the COVID-19 pandemic from 2020 to 2022.

As for the alleged falsification of certificates of service, We note Judge Dela Cruz, Jr.'s statement that judgments promulgated online were recorded to have been already decided or resolved. Although this statement is not exactly untrue, We reiterate that the practice of promulgating decisions by simply reading the dispositive portion and providing parties the hard copies of the full decisions only after three to 11 months is an undesirable practice that must be immediately halted. Further, certificates of service must faithfully reflect the real docket and accomplishments in accordance with the established rules of procedure.

We now focus on the infraction committed by Judge Dela Cruz, Jr. when he belatedly furnished hard copies of decisions to litigants long after their promulgation. Indubitably, this is simple misconduct. While violative of Our established rules, it has no element of corruption, clear intent to violate the law, or flagrant disregard of an established rule. In fact, Judge Dela Cruz, Jr. made sure that persons deprived of liberty who were acquitted were immediately released from detention on the same day of the promulgation of the verdict of acquittal.

The Proper Penalty

Under Canon VII, Section 19 of the CJCA, simple misconduct is classified as a less serious charge, viz.:

> SECTION 19. Less serious offenses. – Less serious offenses include:
>
> (a) Simple misconduct constituting violations of this Code, the Code of Conduct and Ethical Standards for Public Officials or Employees, or the Code of Professional Responsibility and Accountability[.]

Additionally, Canon VII, Section 22 of the CJCA provides for the imposable penalty when the Judge Dela Cruz, Jr. is guilty of a less serious charge, viz.:

> SECTION 22. Penalties. –
>
> . . . .
>
> (2) If the respondent is found guilty of a less serious offense, any of the following penalties shall be imposed:
>
> (a) Suspension from office without salary and other benefits for no less than one month nor more than six months and one day up to one year; and/or

> (b) A fine of PHP 51,000.00 but not more than PHP 100,000.00[.]

Notably, Canon VII, Sections 24 and 25 of the CJCA, provide how modifying circumstances may be applied in determining the penalty of erring judges, viz.:

> SECTION 24. Modifying Circumstances. – In determining the appropriate penalty to be imposed, the Court may, in its discretion, appreciate the following mitigating and aggravating circumstances:1. Mitigating circumstances:
>
> - First offense;
>
> - Length of service of at least ten years with no previous disciplinary case where respondent was meted with an administrative penalty;
>
> - Exemplary performance;
>
> - Humanitarian considerations;
>
> - Unconditional admission of guilt and public demonstration of remorse; and
>
> - Other analogous circumstances.

. . . .

SECTION 25. Manner of Imposition. – If one or more aggravating circumstances and no mitigating circumstances are present, the Supreme Court may impose the penalties of suspension or fine, for a period or amount not less than half of the minimum prescribed under this Canon.

Though Judge Dela Cruz, Jr. violated certain rules, his dedication as a judge cannot be denied. All Decisions for which hard copies were not immediately made available had already been released. No accused, whose judgments were unfavorable, were denied their right to appeal or to file a motion for reconsideration. More, he had no backlog in his docket. He did err, but his exemplary performance as a judge should likewise be recognized. Too, he has no prior violation of existing laws or rules and regulations. Most important, he is remorseful of his infractions; not only did he immediately admit to his violations, but also he acknowledged the same with utmost humility on bended knees.

In administrative proceedings, the quantum of proof required is substantial evidence. Substantial evidence is defined as that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion. The standard of substantial evidence is satisfied when there is reasonable ground to believe that Judge Dela Cruz, Jr. is responsible for the misconduct complained of, even if such evidence might not be overwhelming or even preponderant, as in this case.[35]

Verily, We find Judge Dela Cruz, Jr. liable for simple misconduct under Section 19 in relation to Sections 22, 24 and 25 of the CJCA. Pursuant to Canon VII, Sections 24 and 25 of the CJCA, the imposition of fine in the amount of PHP 25,500.00, or half of the minimum prescribed penalty (PHP 51,000.00) is in order. In the determination of the penalty, the Court may, in its discretion, appreciate mitigating circumstances, such as humanitarian considerations like remorse, acknowledgment of guilt, and taking responsibility for the act committed, as in the present case.[36]

As for the charge of gross misconduct as a member of the Philippine Bar under Canon II, Section 11[37] of the CPRA on false representations or statements, the same is dismissed for lack of merit.

ACCORDINGLY, the Court finds Judge Jacinto M. Dela Cruz Jr., presiding judge, Branch 81, Regional Trial

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Court, Asingan, Pangasinan, LIABLE of simple misconduct under Canon VII, Section 19 of A.M. No. 25-04-04-SC or the 2025 Code of Judicial Conduct and Accountability. He is meted a FINE in the amount of PHP 25,500.00, to be paid within three months from notice of this Decision.

The charge of gross misconduct as a member of the Philippine Bar under Canon II, Section 11 of the Code of Professional Responsibility and Accountability is DISMISSED.

SO ORDERED.

Gesmundo, C.J., Caguioa, Hernando, Inting, Zalameda, Gaerlan, Rosario, Lopez, Dimaampao, Marquez, Kho, Jr., and Singh, JJ., concur.
Leonen,[*] SAJ., I dissent. See separate opinion.
Villanueva,[**] J., no part.

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[*] Dissenting

[**] No part due to prior participation as Court Administrator.

[1] Rollo, p. 3.

[2] Id. at 3-6.

[3] Id. at 15-34.

[4] SECTION 14. No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based[.]

[5] Rollo, pp. 30-31.

[6] Id. at 19.

[7] Id. at 20.

[8] Id.

[9] Id. at 33.

[10] Id. at 400-401.

[11] Id.

[12] Id. at 409-415.

[13] Id. at 411-412.

[14] Id. at 437-449.

[15] Id. at 449.

[16] Id. at 446.

[17] Id.

[18] Id.

[19] Id. at 448.

[20] Id. at 448-449.

[21] Id.

[22] Code of Judicial Conduct and Accountability, Preamble.

[23] Code of Judicial Conduct and Accountability, General Provisions, sec. 1.

[24] Office of the Court Administrator v. Sicad, 943 Phil. 86, 93-94 (2023) [Per Curiam, En Banc].

[25] Id. at 94.

[26] Rollo, p. 411.

[27] Engr. Dizon v. Judge Lopez, 344 Phil. 13, 21 (1997) [Per J. Mendoza, Second Division].

[28] Rollo, p. 412.

[29] Id.

[30] Id.

[31] Id.

[32] Id. at 412-413.

[33] Id. at 413.

[34] Id.

[35] See Anonymous Complaint Against Judge Edmundo P. Pintac, 886 Phil. 1, 14 (2020) [Per Curiam, En Banc].

[36] In Re: Petition for the Dismissal from Service and/or Disbarment of Judge Baltazar R. Dizon, 255 Phil. 623 (1989) [Per Curiam, En Banc]; Rubin v. Judge Corpus-Cabochan, 715 Phil. 318 (2013) [Per J. Perez, Second Division]; see also Public Assistance and Corruption Prevention Office v. Paumig, 844 Phil. 440 (2018) [Per J. Tijam, En Banc].

[37] SECTION 11. False representations or statements; duty to correct. – A lawyer shall not make false representations or statements. A lawyer shall be liable for any material damage caused by such false representations or statements.

DISSENTING OPINION
LEONEN, SAJ.:

This case stems from an Anonymous Letter dated July 5, 2022 sent to the Judicial Integrity Board reporting that respondent Judge Jacinto M. Dela Cruz, Jr., previously of Branch 33 of the Regional Trial Court in Bauang, La Union, promulgates his decisions by reading only their dispositive portions online, and releasing the hardcopy much later. The Letter alleged that this caused delays for parties in terms of appeals or clearances.[1]

The matter was referred to the Office of the Court Administrator (OCA) for investigation and report. In their investigation, the OCA confirmed that the hardcopies of a few decisions were issued several months after promulgation and were antedated to make it appear it was decided within the required 90-day period to resolve cases. It thus noted that respondent falsified his Certificate of Service by claiming that he decided cases within the reglementary period.[2]

In his explanation, respondent reasoned that he only promulgated decisions in this manner if the parties and their counsel themselves chose a reading of the dispositive portions instead of the full decisions. In case of acquittals, he ensured the person deprived of liberty is immediately released from detention on the same day of promulgation.[3]

The OCA recommended the filing of administrative charges against respondent for gross misconduct and falsification of official documents.[4]

In its Report and Recommendation dated November 4, 2025, the Judicial Integrity Board also recommended that respondent be held liable for falsification of official documents and for gross misconduct violations under the Code of Judicial Conduct and as a member of the Philippine Bar. It also proposed the imposition of the penalties of dismissal, forfeiture of all benefits, prohibition from employment in any government agency or instrumentality, and a fine of PHP 51,000.00.[5]

The ponencia however found respondent liable only for simple misconduct, and thus imposed only a fine of PHP 25,500.00. It noted that while respondent furnished hardcopies of decisions to litigants months after their promulgation, there is no showing that his actions were "tainted with corruption, clear intent to violate the law, or flagrant disregard of an established rule."[6]

The ponencia also considered that the involved cases took place between 2020 and 2022 at the height of the COVID-19 pandemic when everyone was transitioning to remote hearings via video conferences.[7] It also factored in the following reasons given by respondent: (i) for five years he had no legal researcher assisting him thus causing him to need additional time to proofread and edit his decisions; (ii) he caught COVID-19 twice in 2023; (iii) his sister who was taking care of their ill mother became physically paralyzed; (iv) his parents passed away in 2022. The ponencia further found that currently, the hardcopies of his judgements were already released to all parties, their motions for reconsideration were timely resolved, and he has no backlogs in his current docket. Respondent also ensured that persons deprived of liberty who were acquitted were immediately released from detention on the same day of the promulgation of the verdict. Finally, it considered his exemplary performance as a judge, his lack of prior violations of existing laws or rules and regulations, and his remorse for his infractions.[8]

I dissent.

I find that the penalty against respondent should still be higher.

Article VIII, Section 14 of the Constitution provides that "[n]o decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based." The rationale for this requirement was discussed by this Court in Francisco v. Permskul:[9]

> The purpose has always been the same, viz., to inform the person reading the decision, and especially the parties, of how it was reached by the court after consideration of the pertinent facts and examination of the applicable laws.
>
> The parties are entitled to no less than this explanation if only to assure them that the court rendering the decision actually studied the case before pronouncing its judgment. But there are more substantial reasons. For one thing, the losing party must be given an opportunity to analyze the decision so that, if permitted, he may elevate what he may consider its errors for review by a higher tribunal. For another, the decision, if well-presented and reasoned, may convince the losing party of its merits and persuade it to accept the verdict in good grace instead of prolonging the litigation with a useless appeal. A third reason is that decisions with a full exposition of the facts and the law on which they are based, especially those coming from the Supreme Court, will constitute a valuable body of case law that can serve as useful references and even as precedents in the resolution of future controversies.[10]

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Thus, a decision should inform the reader of how the resolution was reached given the established facts and review of the applicable laws. It is for the aggrieved party to study the resolution so they may decide if they will accept it or question it in a higher court if possible. Noncompliance with this required form of a ruling deprives parties of pursuing the reliefs they are entitled to.

In relation to respondent's cases, since he eventually released the hardcopies of the decisions, the parties were not denied their day in court per se.

Nonetheless, claiming in an official document that the cases have been resolved when in fact they have not been so is a grave infraction constituting a serious offense under the 2025 Code of Judicial Conduct and Accountability (CJCA)[11] and the Code of Professional Responsibility and Accountability (CPRA).[12]

I agree that his acts do not constitute "corruption, clear intent to violate the law, or flagrant disregard of an established rule" to be deemed gross misconduct.[13] Under the CPRA, gross misconduct is analogous to inexcusable, shameful or flagrant unlawful conduct.[14] In Judge Banzuela-Didulo v. Santizo:[15]

> To be sure, "dishonesty is the disposition to lie, cheat, deceive or defraud; untrustworthiness; lack of integrity; lack of honesty, probity or integrity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray." Misconduct, on the other hand, is defined as the "transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by the public officer. To warrant dismissal from the service, the misconduct must be grave, serious, important, weighty, momentous, and not trifling. The misconduct must imply wrongful intention and not a mere error of judgment and must also have a direct relation to and be connected with the performance of the public officer's official duties amounting either to maladministration or willful, intentional neglect, or failure to discharge the duties of the office. In order to differentiate gross misconduct from simple misconduct, the elements of corruption, clear intent to violate the law, or flagrant disregard of established rule, must be manifest in the former."[16] (Citations omitted)

However, indicating in his Certificate of Service that he has promulgated a decision without yet releasing it in full and only reading its dispositive portion constitutes serious dishonesty and falsification of an official document. Section 18 of the CJCA explicitly states that making untrue statements in a certificate of service is deemed a serious offense:

> SECTION 18. Serious Offenses. — Serious offenses include:
>
> (a) Gross misconduct constituting violations of this Code, the Code of Conduct and Ethical Standards for Public Officials or Employees, or of the Code of Professional Responsibility and Accountability;
>
> . . . .
>
> (d) Falsification of official documents, including making untruthful statements in the certificate of service;
>
> (e) Serious dishonesty;
>
> . . . .

This provision should not be glossed over. It is false to state that a decision has been promulgated when no hardcopy of it has yet been provided and only the dispositive portion was read to the parties. It is grossly inaccurate to represent that a decision has been rendered when in fact it is not yet released. The reading of dispositive portions is inadequate and does not result to a full resolution of the case for the parties. It does not allow them to properly appeal should they wish to. As stated in the ponencia, "certificates of service must faithfully reflect the real docket and accomplishments in accordance with the established rules of procedure."[17] Thus, to state that a case has been resolved in the certificate of service when the hardcopies of the decision have

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not been released to the parties is a falsification and constitutes serious dishonesty.

Nonetheless, while respondent's acts are serious offenses, I agree that the global situation and respondent's personal circumstances at the time should be considered in determining the proper penalty. Section 24 of the CJCA provides:

> SECTION 24. Modifying Circumstances. — In determining the appropriate penalty to be imposed, the Court may, in its discretion, appreciate the following mitigating and aggravating circumstances:
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> (1)
>
> Mitigating circumstances:
>
> (a)
>
> First offense;
>
> (b)
>
> Length of service of, at least, 10 years with no previous disciplinary case where respondent was meted an administrative penalty;
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> (c)
>
> Exemplary performance;
>
> (d)
>
> Humanitarian considerations;
>
> (e)
>
> Unconditional admission of guilt and public demonstration of remorse; and
>
> (f)
>
> Other analogous circumstances.
>
> (2)
>
> Aggravating Circumstances:
>
> (a)
>
> Finding of previous administrative liability where a penalty has been imposed, regardless of nature or gravity;
>
> (b)
>
> Length of service facilitated the commission of the offense;
>
> (c)
>
> Employment of fraudulent means to conceal the offense;
>
> (d)
>
> Arrogance, belligerent attitude of the respondent, or lack of remorse; and
>
> (e)
>
> Other analogous circumstances.

Under Section 25 of the CJCA,[18] if there are mitigating circumstances without aggravating ones, this Court may impose the penalty of suspension or a fine "for a period or amount not less than half of the minimum prescribed under [Canon VII (Accountability) of the CJCA]."

Under the CJCA, serious offenses may be imposed the following penalties:

> SECTION 22. Penalties. —
>
> (1) If the respondent is found guilty of a serious offense, any of the following penalties shall be imposed:(a) Dismissal from the service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including in government-owned or -controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits;
>
> (b) Suspension from office without salary and other benefits for one year and one day up to three years; and/or
>
> (c) A fine of PHP101,000.00 but not more than PHP500,000.00.

. . . .

Thus, considering Canon VII, Section 22 of the CJCA, I find that respondent's acts warrant a higher fine of PHP 50,500.00, or half of the minimum fine of PHP 101,000.00 for serious offenses.

As a final note, I wish to emphasize that a judge is expected to discharge their functions in a manner that inspires confidence in the Judiciary.[19] Their conduct must conform and should appear to conform to the highest ethical standards.[20] They are also expected to prevent delay, oppression, and injustice in exercising their duties.[21] A judge fails in these mandates when they make false representations in their certificates of service.

ACCORDINGLY, I dissent as to the penalty imposed upon respondent. I vote to hold respondent GUILTY for serious dishonesty and falsification of an official document by making untruthful statements in his certificate of service. Considering, however, the mitigating circumstances in this case, I vote that respondent be meted a FINE in the amount of PHP 50,500.00.

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[1] Ponencia, pp. 1-2.

[2] Id. at 2.

[3] Id. at 3.

[4] Id. at 2.

[5] Id. at 3-4.

[6] Id. at 4, 7-8.

[7] Id. at 7.

[8] Id. at 5-6.

[9] 255 Phil. 311 (1989) [Per J. Cruz, En Banc].

[10] Id. at 316.

[11] CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, A.M. No. 25-04-04-SC, November 11, 2025.

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[12] CODE OF PROF. RESPONSIBILITY AND ACCOUNTABILITY, A.M. No. 22-09-01-SC, April 11, 2023.

[13] Ponencia, p. 4.

[14] CODE OF PROF. RESPONSIBILITY AND ACCOUNTABILITY, Canon VI, sec. 33.

[15] 935 Phil. 496 (2023) [Per J. Kho, Jr., En Banc].

[16] Id. at 510-511.

[17] Ponencia, p. 6.

[18] SECTION 25. Manner of Imposition of Penalty. — If one or more aggravating circumstances and no mitigating circumstances are present, the Supreme Court may impose the penalty of suspension or fine, for a period or amount not exceeding double of the maximum prescribed under this Canon.

If one or more mitigating circumstances and no aggravating circumstances are present, the Supreme Court may impose the penalty of suspension or fine, for a period or amount not less than half of the minimum prescribed under this Canon.

If there are both aggravating and mitigating circumstances present, the Supreme Court may offset each against the other.

Notwithstanding the foregoing, the Supreme Court may impose the next higher or lower penalty against the respondent subject to its appreciation of the number and gravity of the mitigating and aggravating circumstances present.

[19] CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon II, sec. 3. See also CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon VI.

[20] CODE OF JUDICIAL CONDUCT, AND ACCOUNTABILITY, Canon IV, sec. 2.

[21] CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon VI.

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