

MATHEA C BUENAFLOR, COMPLAINANT, VS. JUDGE SALVADOR M. IBARRETA, JR, REGIONAL TRIAL COURT, BRANCH 8, DAVAO CITY, RESPONDENTS.*A.M. No. RTJ-02-1683 (Formerly OCA IPI 02-1392-RTJ). April 24, 2002*

Ponente: DE LEON, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/2f6eb0c78e96/>**DE LEON, JR., J.:**

In an Affidavit-Complaint dated April 3, 2001 complainant Mathea C. Buenaflor charged respondent Judge Salvador M. Ibarreta, Jr., presiding judge of the Regional Trial Court of Davao City, Branch 8, with dishonesty and delay in the resolution of a motion for reconsideration relative to Civil Case No. 25656-97 entitled “Sps. Antonio and Mathea Buenaflor vs. Sps. Romero and Gregoria Tumanan” for Damages and Attorney’s Fees.

It appears that Civil Case No. 25656-97 is an appeal by the spouses Tumanan from the Decision dated August 25, 1997 of the Municipal Trial Court in Cities (MTCC) of Davao City, Branch 4, ordering the payment of damages and attorney’s fees in favor of the spouses Buenaflor. On February 11, 1998, respondent Judge Ibarreta rendered a decision reversing and setting aside the decision of the lower court. Spouses Buenaflor received a copy of the adverse decision only on July 1, 1998 or more than four (4) months later.

Dissatisfied with the decision, spouses Buenaflor filed a motion for reconsideration on July 15, 1998. On November 4, 1998, spouses Buenaflor filed a Supplemental Motion for Reconsideration. On November 6, 1998, Judge Ibarreta issued an Order stating that the Supplemental Motion for Reconsideration was deemed submitted for resolution.

More than two (2) years later, on February 8, 2001, complainant Buenaflor, thru counsel, received a copy of the Order of respondent Judge Ibarreta dated February 3, 1999 which denied the motion for reconsideration. Complainant contends that the Order dated February 3, 1999 was antedated by respondent Judge Ibarreta to make it appear that the motion for reconsideration was resolved within the ninety (90) day period when in truth and in fact the said Order was only mailed on February 2, 2001.

Explaining his side in his Comment dated May 29, 2001 respondent Judge Ibarreta stated that a draft of the assailed order was actually prepared on February 3, 1999. However, the records thereof was inadvertently misplaced “occasioned by the inevitable mix-up of records as a result of a transition caused by the optional retirement of his Branch’s interpreter, Felipe Cainglet, in August 1998” and the deluge of cases unloaded by the seven (7) branches of the MTCC when his court was designated as a Family Court. The records of Civil Case No. 25656-97 were found only when the new Branch Clerk of Court, Atty. Evalyn Arellano-Morales, conducted an inventory of cases in his sala sometime in January 2001. Thus, the release of the subject order on February 2, 2001.

Respondent Judge Ibarreta’s explanation as to the loss/misplacement of records cannot exonerate him, much less mitigate his inefficiency which caused the delay in the disposition of Civil Case No. 25656-97. Time and again we have stressed the need to decide cases promptly and expeditiously, for it cannot be gainsaid that justice

delayed is justice denied, and that delay in the disposition of cases undermines the people's faith and confidence in the judiciary. Judges must, therefore, decide cases with dispatch, and the failure of a judge to render a decision within the reglementary period constitutes serious misconduct[1] Under Section 9 of the amended Rule 140 of the Rules of Court, which took effect on October 1, 2001, this misconduct is classified as a less serious charge.

Judges are responsible not only for the dispensation of justice but also for managing their courts efficiently to ensure the prompt delivery of court services.[2] Thus, the Code of Judicial Conduct mandates that:

Rule 3.08. - A judge should diligently discharge administrative responsibilities, maintain professional competence in court management, and facilitate the performance of the administrative functions of other judges and court personnel.

Rule 3.09. - A judge should organize and supervise the court personnel to ensure the prompt and efficient dispatch of business, and require at all times the observance of high standards of public service and fidelity.

It is the responsibility of respondent Judge Ibarreta to properly and efficiently manage his court records and any glitch that appears in his court's administrative system properly falls on his shoulders. Timely disposition of cases should not be compromised by faulty records management. Otherwise, the 90-day period for deciding cases as mandated by no less than the Constitution[3] would be set at naught.

The Office of the Court Administrator recommends that respondent Judge Ibarreta be fined in the amount of Three Thousand Pesos (P3,000.00). Considering that the incident took place before A.M. No. 01-8-10-SC[4] took effect on October 1, 2001, we are constrained to agree with this recommendation.

WHEREFORE, respondent Judge Salvador M. Ibarreta, Jr., presiding judge of the Regional Trial Court of Davao City, Branch 8, is liable for inefficiency and undue delay for failing to decide complainant's case on time. He is ordered to pay a FINE of Three Thousand Pesos (P3,000.00) with a WARNING that a repetition of the same or similar offense will be dealt with more severely.

SO ORDERED.

Bellosillo, (Chairman), Mendoza, and Quisumbing, JJ., concur.
Corona, J., no part, close relation to party.

[1] Cueva v. Judge Villanueva, 305 SCRA 459, 467 .

[2] Tranquilino F. Meris v. Judge Florentino M. Alumbres, Presiding Judge, Regional Trial Court, Las Piñas City, Branch 255, A.M. No. RTJ-00-1599, November 15, 2001, p. 5

[3] Article VIII, Section 15(1).

[4] Rule 140 as amended by A.M. No. 01-8-10-SC, Sec. 9 and Sec. 11-B, effective October 1, 2001, imposes a fine of more than P10,000.00 but not exceeding P20,000.00 as a penalty for less serious charges such as undue delay in rendering a decision or order.

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