

REPORT ON THE ON-THE-SPOT JUDICIAL AUDIT CONDUCTED IN THE MUNICIPAL CIRCUIT TRIAL COURT, TERESA-BARAS, RIZAL.

A.M. No. MTJ-02-1397. September 17, 2002

Ponente: QUISUMBING, J.

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QUISUMBING, J.:

On September 23, 1999, the Office of the Court Administrator conducted an on-the-spot judicial audit in the Municipal Circuit Trial Court (MCTC), Teresa-Baras, Rizal,[1] in view of the retirement of presiding judge Ricardo P. Angeles.

Based on the actual records presented by the court personnel, the audit team found that there were 662 cases pending in said court, consisting of 613 criminal cases and 49 civil cases. Of the criminal cases, 11 had been decided by Judge Angeles but were not promulgated due to the absence of the accused on the date of promulgation; 24 had been submitted for resolution; 39 had pending incidents; and 70 were the subject of preliminary investigations that had been resolved but whose records had not been forwarded to the Office of the Provincial Prosecutor. As regards this last batch of cases, Adelina R. Garrovillas, clerk of court, explained that the provincial prosecutor refused to accept the records unless they were reproduced into six copies, all certified as true copies. But Garrovillas said there was no budget for such additional expense. Thus, the audit team advised Garrovillas to pass on the expense to private complainants.

The audit team also found that proceedings were suspended in one criminal case due to the existence of a prejudicial question; 19 cases remained unacted upon despite the lapse of a considerable length of time; and 227 cases showed that warrants of arrest were pending.

Of the 49 civil cases audited, four had been submitted for decision, all of which had gone beyond the reglementary period; and seven had pending matters or incidents for resolution.

As a result of the audit and per recommendation of the OCA dated November 5, 1999, this Court issued the following resolution on February 23, 2000:

... the Court Resolved to require the following to comply with the DIRECTIVES as specified below:

(1) MS. ADELINA R. GARROVILLAS, Clerk of Court II, MCTC, Teresa-Baras, Rizal:

(1-a) to EXPLAIN in writing within fifteen (15) days from notice why no administrative sanction shall be imposed upon her for:

(1-a-1) failure to effect the transmittal of the records of the following criminal cases to the Office of the Provincial Prosecutor pursuant to Section 5, Rule 112, Revised Rules on Criminal Procedure, to wit: Criminal Case Nos. 6531-T, 6343-T, 6361-T, 6358-T, 6354-T, 6352-T, 6084-B, 6260-T, 6238-B, 6280-B, 6301-T, 6258-B, 6265-B, 6255-B, 6281-B, 6300-T, 5906, 6272-T, 6166-T, 6240-B, 5996-T, 6241-B, 6322-T, 6320-T, 6321-T, 6285-B, 6293-B, 6364-B, 6088-B, 6263-B, 6288-T, 6289-T, 6290-T, 6372-T, 6373-T, 6365-T, 6340-T, 6297-T, 6382-T, 6039-B, 6178-B, 5563-B, 5405-T, 5406-T, 5145-B, 5139-T, 5620-T, 6051, 6052,

6053, 6288, 6289, 6333-T, 6330-T, 6332-T, 6353-T, 6305-B, 6374-T, 6111-B, 6394-T, 6397-T, 5797-T, 6064-T, 5870-B, 5613-T, 3588-B, 5061-B, 5837-B, 6151-B, and 6210-T;

(1-a-2) failure to act or set in the court calendar the following criminal cases with no further action or setting after lapse of considerable period of time, to wit: Criminal Cases Nos. 6400-B, 6328-T, 6371-B, 6094-B, 5775-B, 5828-B, 5921-B, 5577-B, 6095-T, 5487-B, 6096-B, 5844-T, 6200-B, 6201-B, 6067-T, 6233-B, 4967-B, 4968-B, and 4990-B.

(1-b) to EFFECT the posting outside the court premises [of] the list of cases submitted for decision or resolution, as mandated under Administrative Circular No. 10-94 dated June 29, 1994.

(1-c) to REQUIRE the stenographers who took down the stenographic notes to (1-c-1) EXPLAIN within ten (10) days from notice why no administrative action should be taken against them for failure to transcribe their stenographic notes on the following cases left undecided by Retired Judge Ricardo P. Angeles, to wit: Criminal Cases Nos. 5573, 5723-B, 6046-B, 5946-B, 5575-B, 5595-B, 5849-T, 4854 to 4863, 5549-T, 5548-T, 5174-T, 5775-T, 5832-T, 6186-B, 5656 and Civil Cases Nos. 864-T, 863-T, 865-T, and 843-B; (1-c-2) SUBMIT to the court through the designated Acting Presiding Judge the transcripts of stenographic notes of the above-enumerated cases within fifteen (15) days from notice; (1-c-3) SUBMIT thereafter to the Honorable Court, through the Office of the Court Administrator, proof of compliance with the above directives within ten (10) days from compliance therewith.

(1-d) to APPRISE the designated Acting Presiding Judge of the MCTC, Teresa-Baras, Rizal, on the following cases, to wit:

(1-d-1) of the 24 criminal and 4 civil cases which are submitted for decision, to wit: Criminal Cases Nos. 5573, 5723-B, 6046-T, 5946, 5575-B, 5595-B, 5849-T, 4854 to 4863, 5549-T, 5548-T, 5174-T, 5175-T, 5832-T, 6186-B, 5656; and Civil Cases Nos. 864-T, 863-T, 865-T and 843-B;

(1-d-2) of the 39 criminal and 7 civil cases with pending matters or incident for resolution, to wit: Criminal Cases Nos. 5998-B, 6294-T, 6381-T, 5423-B, 6442-B, 6221-B, 6403, 6410-B, 6362-B, 6438-B, 6426-T, 6437-T, 6427-T, 6443, 6444, 6408-B, 6452-T, 6457-T, 6303-T, 6350-T, 6401-T, 6357-T, 6395-B, 6396-B, 6397-T, 6082-B, 6299-T, 5943-T, 6224-B, 5948-B, 5962-T, 6023-T, 5811-B, 6259-T, 6276-T, 6292-B, 6271-T, 6239-B, 5856-T; and Civil Cases Nos. 845-T, 846-T, 881-T, LRC 015, 871-B, 867-B, and 848-T;

(1-d-3) of the records of the 70 criminal cases to be forwarded to the Office of the Provincial Prosecutor, to wit: Criminal Cases Nos. 6531-T, 6343-T, 6361-T, 6358-T, 6354-T, 6352-T, 6084-B, 6260-T, 6238-B, 6280-B, 6301-T, 6258-B, 6265-B, 6255-B, 6281-B, 6300-T, 5906, 6272-T, 6166-T, 6240-B, 5996-T, 6241-B, 6322-T, 6320-T, 6321-T, 6285-B, 6293-B, 6364-B, 6088-B, 6263-B, 6288-T, 6289-T, 6290-T, 6372-T, 6373-T, 6365-T, 6340-T, 6297-T, 6382-T, 6039-B, 6178-B, 5563-B, 5405-T, 5406-T, 5145-B, 5139-T, 5620-T, 6051, 6052, 6053, 6288, 6289, 6333-T, 6330-T, 6332-T, 6353-T, 6305-B, 6374-T, 6111-B, 6394-T, 6397-T, 5797-T, 6064-T, 5870-B, 5613-T, 3588-B, 5061-B, 5837-B, 6151-B, and 6210-T;

(1-d-4) of the 19 criminal cases with no further action or setting after lapse of considerable period of time, to wit: Criminal Cases Nos. 6400-B, 6328-T, 6371-B, 6094-B, 5775-B, 5828-B, 5921-B, 5577-B, 6095-T, 5487-B, 6096-B, 5844-T, 6200-B, 6201-B, 6067-T, 6233-B, 4967-B, 4968-B and 4990-B; and

(1-d-5) of the 241 criminal cases with pending warrant of arrest, to wit: Criminal Cases Nos. 6466, 5841-B, 6316-B, 6428-T, 5265-T, 5457-B, 4842-T, 5514-T, 5332-T, 4728-T, 4951-B, 5324-T, 5013-T, 5107-T, 5030-B, 5179-B, 4934-B, 5097-B, 5099-B, 5256-T, 4905-T, 5196-T, 5140-T, 5424-T, 5470-T, 5136-B, 5410-B, 5341-T, 5425-T, 5218-B, 5012-T, 5011-T, 5271-B, 5095-B, 4834-T, 5588-B, 5727-T, 5663-T, 5632-T, 5633-T, 5045-B, 5246-T, 5063-T, 5303-T, 4913-B, 5629-T, 5552-B, 5529-T, 5640-B, 4827-T, 5376-T, 4807, 5093, 5469-T, 4912-B, 5417-B, 5802, 5567, 5188-T, 5431-T, 5421-B, 4965-T, 5598-B, 5093-B, 5475-T, 5455-B, 5453-B, 5721, 5102-B, 5578-T, 5504-B, 5510-T, 5451-T, 6278, 6279, 6275-B, 5305-T,

528-T, 5738-T, 5739-T, 5809-T, 5490-T, 5473-T, 5717-B, 5682-T, 5491-T, 5589-B, 5551-T, 5666-B, 5224-T, 4836-T, 5564-T, 5649, 5331-T, 4850-B, 4781-T, 5416-B, 4916-T, 5216-B, 5550-T, 5647-B, 5603, 5486-T, 5261-T, 5495-T, 5080, 5069-T, 5165-T, 5178-T, 6306-T, 5979-T, 5876-T, 5842-B, 6203, 6204, 5952-T, 5941-T, 5791, 5732, 5733, 5817-B, 5942-T, 5835-B, 5931-T, 6086-T, 4914-B, 4915-B, 5648-B, 5617-B, 5618-B, 5951, 6041, 6172, 6188, 6102, 6048, 5980, 6173, 6167-T, 6334-B, 6022-T, 5982-T, 6089-B, 6158-B, 6074-T, 5974-T, 5973-T, 6012-B, 6186, 6189, 6282, 6283, 6284, 5894-T, 5922-T, 6228-B, 6334-B, 5826-B, 5893-T, 5963-T, 6008-T, 6009-T, 6010-T, 5992-T, 6202-B, 5828-T, 6250-T, 5740-B, 5662-B, 5774-B, 5916-B, 5959-B, 5892-T, 5896-T, 5874-B, 5915-B, 6081-T, 5945-T, 5693-T, 5694-T, 5939-T, 5799-B, 5796-T, 5798-B, 6339-T, 6404-T, 6926-T, 6062-T, 6383 to 6388-T, 6323-T, 6180-B, 6195-B, 6002-T, 6042 to 6044, 6194, 5803-T, 5971-T, 5988-B, 5964-T, 5734-T, 5596-T, 5788 to 5789-B, 5950-T, 5867-T, 6187-T, 6179-B, 6097-T, 5977-T, 5978-T, 5993-T, 6209, 6220-T, 6087-T, 5968-B, 6249-B, 6063-T, 6234, 6244, 6245, 5819, 5782, 5399-B, 5400-B, 5699-B, 5700-B, 6157, 5526, 5917, 5909, 5880, 5895-T, 6045, 5911, 5231-B and 5578-T;

(1-e) to immediately verify and check the status of Civil Case No. 406-M pending before RTC, Branch 78, Morong, Rizal. Thereafter to apprise the acting presiding judge on the status thereof and immediately to set Criminal Case No. 4777-T for hearing for the acting presiding judge to undertake the appropriate action thereon.

(1-f) to submit thereafter to the Honorable Court, through the Office of the Court Administrator proof of compliance with the above-enumerated directive in paragraph 1-b to 1-e within fifteen (15) days from compliance therewith.

2) RETIRED JUDGE RICARDO P. ANGELES, Teresa-Baras, Rizal, to explain in writing within fifteen (15) days from notice why no administrative sanction shall be imposed on him for:

(2-a) failure to decide within the reglementary period the following cases which were submitted for his decision, to wit: Criminal Case Nos. 5573, 5723-B, 6046-T, 5946-B, 5575-B, 5595-B, 5849-T, 4854 to 4863, 5549-T, 5548-T, 5174-T, 5175-T, 5832-T, 6186-B, 5656, and Civil Cases Nos. 863-T, 865-T and 843-B;

(2-b) failure to resolve the following cases with pending incident or matter for his resolution within the reglementary period, to wit: Criminal Case Nos. 5998-B, 6294-T, 6381-T, 5423-B, 6442-B, 6221-B, 6403, 6410-B, 6362-B, 6438-B, 6426-T, 6437-T, 6427-T, 6443, 6444, 6408-B, 6303-T, 6350-T, 6401-T, 6357-T, 6395-B, 6396-B, 6397-T, 6082-B, 6299-T, 5943-T, 6224-B, 5948-B, 5962-T, 6023-T, 5811-B, 6259-T, 6276-T, 6292-B, 6271-T, 6239-B, 5856-T and Civil Cases Nos. 845-T and 846-T;

(2-c) for failure to transmit the records of the following criminal cases with the Office of the Provincial Prosecutor in accordance with first paragraph, Sec. 5, Rule 112, to wit: Criminal Case Nos. 6531-T, 6343-T, 6361-T, 6358-T, 6354-T, 6352-T, 6084-B, 6260-T, 6238-B, 6280-B, 6301-T, 6258-B, 6265-B, 6255-B, 6281-B, 6300-T, 5906, 6272-T, 6166-T, 6240-B, 5996-T, 6241-B, 6322-T, 6320-T, 6321-T, 6285-B, 6293-B, 6364-B, 6088-B, 6263-B, 6288-T, 6289-T, 6290-T, 6372-T, 6373-T, 6365-T, 6340-T, 6297-T, 6382-T, 6039-B, 6178-B, 5563-B, 5405-T, 5406-T, 5145-B, 5139-T, 5620-T, 6051, 6052, 6053, 6288, 6289, 6333-T, 6330-T, 6332-T, 6353-T, 6305-B, 6374-T, 6111-B, 6394-T, 6397-T, 5797-T, 6064-T, 5870-B, 5613-T, 3588-B, 5061-B, 5837-B, 6151-B, 6210-T;

(2-d) for failure to set in the court calendar the following 19 criminal cases with no further action or setting in the court calendar after lapse of considerable period of time, to wit: Criminal Case Nos. 6400-B, 6368-T, 6371-B, 6094-B, 5775-B, 5828-B, 5921-B, 5577-B, 6095-T, 5487-B, 6096-B, 5844-T, 6200-B, 6201-B, 6067-T, 6233-B, 4967-B, 4968-B, 4990-B; and

(2-e) failure to act on the following 241 criminal cases with pending warrants of arrests after lapse of considerable period of time, to wit: Criminal Case Nos. 6466, 5841-B, 6316-B, 6428-T, 5265-T, 5457-B, 4842-T, 5514-T, 5332-T, 4728-T, 4951-B, 5324-T, 5013-T, 5107-T, 5030-B, 5179-B, 4934-B, 5097-B, 5099-B, 5256-T, 4905-T, 5196-T, 5140-T, 5424-T, 5470-T, 5136-B, 5410-B, 5341-T, 5425-T, 5218-B,

5012-T, 5011-T, 5271-B, 5095-B, 4834-T, 5588-B, 5727-T, 5663-T, 5632-T, 5633-T, 5045-B, 5246-T, 5063-T, 5303-T, 4913-B, 5629-T, 5552-B, 5529-T, 5640-B, 4827-T, 5376-T, 4807, 5093, 5469-T, 4912-B, 5417-B, 5802, 5567, 5188-T, 5431-T, 5421-B, 4965-T, 5598-B, 5093-B, 5475-T, 5455-B, 5453-B, 5721, 5102-B, 5578-T, 5504-B, 5510-T, 5451-T, 6278, 6279, 6275-B, 5305-T, 528-T, 5738-T, 5739-T, 5809-T, 5490-T, 5473-T, 5717-B, 5682-T, 5491-T, 5589-B, 5551-T, 5666-B, 5224-T, 4836-T, 5564-T, 5649, 5331-T, 4850-B, 4781-T, 5416-B, 4916-T, 5216-B, 5550-T, 5647-B, 5603, 5486-T, 5261-T, 5495-T, 5080, 5069-T, 5165-T, 5178-T, 6306-T, 5979-T, 5876-T, 5842-B, 6203, 6204, 5952-T, 5941-T, 5791, 5732, 5733, 5817-B, 5942-T, 5835-B, 5931-T, 6086-T, 4914-B, 4915-B, 5648-B, 5617-B, 5618-B, 5951, 6041, 6172, 6188, 6102, 6048, 5980, 6173, 6167-T, 6334-B, 6022-T, 5982-T, 6089-B, 6158-B, 6074-T, 5974-T, 5973-T, 6012-B, 6186, 6189, 6282, 6283, 6284, 5894-T, 922-T, 6228-B, 6334-B, 5826-B, 5893-T, 5963-T, 6008-T, 6009-T, 6010-T, 5992-T, 6202-B, 5828-T, 6250-T, 5740-B, 5662-B, 5774-B, 5916-B, 5959-B, 5892-T, 5896-T, 5874-B, 5915-B, 6081-T, 5945-T, 5693-T, 5694-T, 5939-T, 5799-B, 5796-T, 5798-B, 6339-T, 6404-T, 6926-T, 6062-T, 6383-T to 6388-T, 6323-T, 6180-B, 6195-B, 6002-T, 6042 to 6044, 6194, 5803-T, 5971-T, 5988-B, 5964-T, 5734-T, 5596-T, 5788 to 5789-B, 5950-T, 5867-T, 6187-T, 6179-B, 6097-T, 5977-T, 5978-T, 5993-T, 6209, 6220-T, 6087-T, 5968-B, 6249-B, 6063-T, 6234, 6244, 6245, 5819, 5782, 5399-B, 5400-B, 5699-B, 5700-B, 6157, 5526, 5917, 5909, 5880, 5895-T, 6045, 5911, 5231-B and 5278-T.

3) THE DESIGNATED ACTING PRESIDING JUDGE, MCTC, Teresa-Baras, Rizal:

(3-a) to DECIDE within ninety (90) days from completion of transcripts of stenographic notes the following cases: Criminal Cases Nos. 5573, 5723-B, 6046-T, 5946-B, 5575-B, 5595-B, 5849-T, 4854 to 4863, 5549-T, 5548-T, 5174-T, 5175-T, 5832-T, 6186-B, 5656 and Civil Cases Nos. 864-T, 863-T, 865-T and 843-B; And thereafter, to PROMULGATE the aforesaid criminal cases with dispatch.

(3-b) to DESIST from promulgating the following criminal cases which were decided but left unpromulgated by retired Judge Ricardo P. Angeles, to wit: Criminal Cases Nos. 5918, 5394-B, 5500, 4956, 5654-B, 5655-B, 5656-B, 5860-B, 5659-T, 5684-B and 5859; And to DECIDE the aforesaid within ninety (90) days from notice. Thereafter, to PROMULGATE these cases with dispatch after rendition of judgment.

(3-c) to RESOLVE within ninety (90) days from notice the following cases with pending matter or incident for resolution, to wit: Criminal Cases Nos. 5998-B, 6294-T, 6381-T, 5423-B, 6442-B, 6221-B, 6403, 6410-B, 6362-B, 6438-B, 6426-T, 6437-T, 6427-T, 6443, 6444, 6408-B, 6452-T, 6457-T, 6303-T, 6350-T, 6401-T, 6357-T, 6395-B, 6396-B, 6397-T, 6082-B, 6299-T, 5943-T, 6224-B, 5948-B, 5962-T, 6023-T, 5811-B, 6259-T, 6276-T, 6292-B, 6271-T, 6239-B, 5856-T, and Civil Cases Nos. 845-T, 846-T, 881-T, LRC 015, 871-B, 867-B and 848-T;

(3-d) to EFFECT the transmittal of the following criminal cases to the Office of the Provincial Prosecutor for their proper disposition of cases, to wit: Criminal Cases Nos. 6531-T, 6343-T, 6361-T, 6358-T, 6354-T, 6352-T, 6084-B, 6260-T, 6238-B, 6280-B, 6301-T, 6258-B, 6265-B, 6255-B, 6281-B, 6300-T, 5906, 6272-T, 6166-T, 6240-B, 5996-T, 6241-B, 6322-T, 6320-T, 6321-T, 6285-B, 6293-B, 6364-B, 6088-B, 6263-B, 6288-T, 6289-T, 6290-T, 6372-T, 6373-T, 6365-T, 6340-T, 6297-T, 6382-T, 6039-B, 6178-B, 5563-B, 5405-T, 5406-T, 5145-B, 5139-T, 5620-T, 6051, 6052, 6053, 6288, 6289, 6333-T, 6330-T, 6332-T, 6353-T, 6305-B, 6374-T, 6111-B, 6394-T, 6397-T, 5797-T, 6064-T, 5870-B, 5613-T, 3588-B, 5061-B, 5837-B, 6151-B and 6210-T;

(3-e) to ACT with dispatch on the following criminal cases with no further action or setting in the court calendar after lapse of considerable period of time, to wit: Criminal Cases Nos. 6400-B, 6368-T, 6371-B, 6094-B, 5775-B, 5828-B, 5921-B, 5577-B, 6095-T, 5487-B, 6096-B, 5844-T, 6200-B, 6201-B, 6067-T, 6233-B, 4967-B, 4968-B and 4990-B;

(3-f) to ACT with dispatch on the following criminal cases with pending warrant of arrest in accordance with Administrative Circular No. 7-A-92 dated June 21, 1992 (Re: Guidelines in the Archiving of Cases), to wit: Criminal Cases Nos. 6466, 5841-B, 6316-B, 6428-T, 5265-T, 5457-B, 4842-T, 5514-T, 5332-T, 4728-T,

4951-B, 5324-T, 5013-T, 5107-T, 5030-B, 5179-B, 4934-B, 5097-B, 5099-B, 5256-T, 4905-T, 5196-T, 5140-T, 5424-T, 5470-T, 5136-B, 5410-B, 5341-T, 5425-T, 5218-B, 5012-T, 5011-T, 5271-B, 5095-B, 4834-T, 5588-B, 5727-T, 5663-T, 5632-T, 5633-T, 5045-B, 5246-T, 5063-T, 5303-T, 4913-B, 5629-T, 5552-B, 5529-T, 5640-B, 4827-T, 5376-T, 4807, 5093, 5469-T, 4912-B, 5417-B, 5802, 5567, 5188-T, 5431-T, 5421-B, 4965-T, 5598-B, 5093-B, 5475-T, 5455-B, 5453-B, 5721, 5102-B, 5576-T, 5504-B, 5510-T, 5451-T, 6278, 6279, 6275-B, 5305-T, 528-T, 5738-T, 5739-T, 5809-T, 5490-T, 5473-T, 5717-B, 5682-T, 5491-T, 5589-B, 5551-T, 5666-B, 5224-T, 4836-T, 5564-T, 5649, 5331-T, 4850-B, 4781-T, 5416-B, 4916-T, 5216-B, 5550-T, 5647-B, 5603, 5486-T, 5261-T, 5495-T, 5080, 5069-T, 5165-T, 5178-T, 6306-T, 5979-T, 5876-T, 5842-B, 6203, 6204, 5952-T, 5941-T, 5791, 5732, 5733, 5817-B, 5942-T, 5835-B, 5931-T, 6086-T, 4914-B, 4915-B, 5648-B, 5617-B, 5618-B, 5951, 6041, 6172, 6188, 6102, 6048, 5980, 6173, 6167-T, 6334-B, 6022-T, 5982-T, 6089-B, 6158-B, 6074-T, 5974-T, 5973-T, 6012-B, 6186, 6189, 6282, 6283, 6284, 5894-T, 5922-T, 6228-B, 6334-B, 5826-B, 5893-T, 5963-T, 6008-T, 6009-T, 6010-T, 5992-T, 6202-B, 5828-T, 6250-T, 5740-B, 5662-B, 5774-B, 5916-B, 5959-B, 5892-T, 5896-T, 5874-B, 5915-B, 6081-T, 5945-T, 5693-T, 5694-T, 5939-T, 5799-B, 5796-T, 5798-B, 6339-T, 6404-T, 6926-T, 6062-T, 6383 to 6388-T, 6323-T, 6180-B, 6195-B, 6002-T, 6042 to 6044, 6194, 5803-T, 5971-T, 5988-B, 5964-T, 5734-T, 5596-T, 5788 to 5789-B, 5950-T, 5867-T, 6187-T, 6179-B, 6097-T, 5977-T, 5978-T, 5993-T, 6209, 6220-T, 6087-T, 5968-B, 6249-B, 6063-T, 6234, 6244, 6245, 5819, 5782, 5399-B, 5400-B, 5699-B, 5700-B, 6157, 5526, 5917, 5909, 5880, 5895-T, 6045, 5911, 5231-B and 5578-T;

(3-g) to SUBMIT a report of compliance to the Honorable Court thru the Office of the Court Administrator on the above-enumerated directives in paragraphs (3-a) to (3-f) within fifteen (15) days from compliance thereof.

4) The Fiscal Management Office, Office of the Court Administrator to SET ASIDE the sum of One Hundred Thousand Pesos (P100,000.00) from the retirement benefits of Judge Ricardo P. Angeles, MCTC, Teresa-Baras, Rizal, pending the outcome of Administrative Cases Nos. OCA IPI Nos. 97-453-MTJ and 99-751-MTJ to answer for any liability that the Honorable Court may impose on said judge by reason of this audit report.[2]

In a letter to this Court dated May 26, 2000, Judge Angeles explained that civil and criminal cases were handled separately by two persons in his court. He assigned the management of civil cases to Adelina R. Garrovillas, clerk of court, and the criminal cases to Flora S.J. Hular, court interpreter. Judge Angeles said he had no problem with Garrovillas, but blamed Hular for his court's failure to (1) decide criminal cases on time, (2) resolve pending incidents therein, (3) transmit records of preliminary investigation to the Office of the Provincial Prosecutor, (4) set criminal cases for hearing, and (5) act on numerous other criminal cases with pending warrants of arrest. Judge Angeles contends that Hular failed to bring these matters to his attention.

Clerk of Court Adelina R. Garrovillas also put the blame for the delays concerning criminal cases on Hular. Garrovillas said that she constantly reminded Hular of her duties. She said Hular assured her that everything was in order and she relied on the latter's word, considering that Hular had been on the job since the incumbency of the late Judge Ricardo E. Javier, former presiding judge of MCTC, Teresa-Baras, Rizal. Attached to Garrovillas' letter to this Court was an affidavit executed by Hular explaining that the "lapses" in the performance of her duties were caused by Judge Angeles' designation as acting judge of the MCTC, Pililla-Jalajala, Rizal, which "minimized" their communication.

As for the civil cases, Garrovillas claimed that all matters were acted upon expeditiously, except two cases which were decided beyond the reglementary period.

As regards the posting of cases submitted for decision, Garrovillas claimed that she was unaware of A.M. No. 10-94 since she never received a copy thereof. In compliance with our directive, however, she said she had begun posting outside the MCTC premises a list of cases submitted for resolution starting September 2000.

On the matter of untranscribed stenographic notes, Garrovillas informed the Court that the stenographers concerned had already complied with the directives of this Court, as stated in a letter to acting MCTC Judge Redemido B. Santos dated April 14, 2000.[3] Said stenographers also furnished this Court, through a letter to the OCA dated April 28, 2000, with proof of compliance with our directive.

Garrovillas added that she always reminded acting Judge Santos of the cases that need to be acted upon at the MCTC, Teresa-Baras, Rizal. She said that Judge Santos ordered the archiving of criminal cases where the warrants of arrest could not be served.

For his part, Judge Santos pointed out that he started acting on the cases enumerated in our resolution dated February 23, 2000 even before being directed to do so. He adopted the report on the status of cases submitted by Garrovillas and furnished this Court a status report of other cases listed in our resolution. However, Judge Santos informed the Court that he could no longer take action on the rest of the cases since his designation as acting judge was recalled by the Executive Judge effective April 15, 2000.

This administrative matter was referred by us to the OCA for evaluation, report, and recommendation in a resolution dated July 10, 2000. In due time, the OCA submitted a memorandum to us containing the following findings:

After careful perusal of the foregoing compliance, this office finds that former Acting Judge Redemido B. Santos complied in principle with the directives of the court... Almost all of the cases enumerated in the ... resolution were appropriately acted upon particularly those cases that are submitted for decision or resolution. Judge Santos admitted that he was not able to act on the rest of the cases for the reason that his designation as Acting Judge was revoked effective 15 April 2000. Hence, he was not given an ample time to appropriately act on the same.

Nonetheless...this Office noted that Judge Santos failed to faithfully comply with the said directive, [as he promulgated cases decided by Judge Angeles after Judge Angeles had retired from the service.] The audit report stated that the audit team apprised Judge Santos not to promulgate the decisions penned by Judge Angeles [since the latter's authority as presiding judge ceased upon his retirement on September 10, 1999.] Despite the early advice and receipt of the resolution of the court, Judge Santos pushed through with the said promulgation [which] in reality had no force and effect ...[4]

The OCA recommended that Judge Santos be directed to explain why he promulgated the decisions made by Judge Angeles in Criminal Cases Nos. 5394 and 5656, after the latter's retirement, despite being advised by the audit team not to.

Regarding the court personnel, the OCA reported:

[As for] Clerk of Court Garrovillas, this Office found her remiss in her duties as an administrative officer of the Court. While it may be true that Ms. Hular is the one at fault based on her own admission in her affidavit... Garrovillas is still wanting in her duties of imposing directives upon her subordinates. Being the chief officer of the Court, Garrovillas should have close control and supervision on her personnel. The administrative function of the court rests upon the Clerk of Court. The judge relies upon them in matters pertinent to the management of the court records. The acts or omissions of the Court personnel are within the Clerk of Court's command responsibility. Without a valid or justifiable reason, the negligence or dereliction of duty of the subordinates should be attributed to the inefficiency or lack of leadership of the Clerk of Court.

As noted by the audit team, the order of Judge Angeles to forward the records of the cases to the Office of the Public Prosecutor are already two years old or more... Aside from [this], the criminal cases are so numerous, totaling 70. In addition, the 19 criminal cases [have not been set in the court calendar] despite the lapse of more than six months. Hence, if it is indeed true that Clerk of Court Garrovillas made constant reminders to Ms.

Hular, it could not have taken that long to act on these cases. Admittedly, it was only upon the instance of the audit team that the cases were appropriately acted on. Besides, physical inventory of pending cases are supposed to be done every semester, she should have been aware of the status of these cases so that appropriate action could have been taken thereon.

Nevertheless, this office noted that the cases enumerated in the resolution of 23 February 2000 were immediately acted upon by Acting Judge Santos even prior [to] the receipt of the resolution. Perhaps, it was due to the early notice or information given to... Garrovillas after the audit that the same were duly acted upon. In addition, the other directives in the said resolution were all sufficiently complied with...

Lastly, this office also noted that this circuit court has a high caseload. Based on the records actually presented, the audit team was able to examine the records of 662 cases... Thus, there are numerous cases unattended after a lapse of considerable period of time. Taking into account this circumstance, this Office finds that the same should be considered as mitigating to warrant the reduction of penalty that may be imposed upon... Garrovillas. As shown by the immediate action taken in the subject cases of 23 February 2000 resolution, it appears that the latter had learned her lesson of attending to her duties faithfully and religiously. It is important to note that this initiative is an important step to improve the service of the judiciary to the public... Garrovillas must have already learned her lesson to administer her office diligently. Moreover, there was no proof of ill-motive or bad faith. This office recommends that Garrovillas be reprimanded.

Relative to the compliance of Court Stenographers Filomena A. Simbajon, Corazon F. Ines and Evangeline N. Urieta, it was shown that they have completed and submitted the required transcripts of stenographic notes to the acting judge through Clerk of Court Garrovillas. However, they all failed to state the reason why they were not able to submit the same within the reglementary period. Under Administrative Circular 24-90 dated 12 July 1990, "All stenographers are required to transcribe all stenographic notes and to attach the transcripts to the record of the case not later than twenty (20) days from the time the notes are taken. The attaching may be done by putting all said transcripts in a separate folder or envelope which will then be joined to the record of the case."... Obviously, the aforesaid stenographers failed to faithfully comply with the said circular. Such failure warrants the imposition of the corresponding sanction. In considering the sanction to be imposed upon them, the high caseloads of the circuit court and the immediate compliance and submission of the subject transcript of stenographic notes are taken into consideration. These factors somehow influenced the output or performance of duty of the aforesaid stenographers. Further, there is no showing that their failure to comply with the requirements is motivated by bad faith. Nonetheless, this office recommends that the aforesaid stenographers be reprimanded since they failed to satisfactorily explain the reason for their delay in the submission of the subject transcript of stenographic notes. (Emphasis in the original.)(5]

Concerning the explanation given by Judge Angeles, the OCA found it unsatisfactory. The Constitution mandates the lower courts to resolve cases within three months,[6] while the Code of Judicial Conduct enjoins judges to dispose of the court's business promptly and decide cases within the required periods. Notwithstanding the admission made by the clerk in charge of criminal cases that there were lapses in the performance of her duties, added the OCA report, Judge Angeles may not be totally absolved of administrative liability. The OCA stressed that judges must maintain close control and supervision over their court dockets and court personnel. It recommended that Judge Angeles be fined in the amount of P10,000.

Finding the OCA's conclusions and recommendations amply supported by the records of this administrative matter, we are in full accord with them. Time and again, we have underscored the mandate of the Code of Judicial Conduct, which states:

Rule 3.05. – A judge shall dispose of the court's business promptly and decide cases within the required periods.

Judge Ricardo P. Angeles clearly violated this mandate when he failed to decide 27 cases within the reglementary

period. Needless to stress, failure to decide cases on time constitutes gross inefficiency^[7] that merits the imposition of administrative sanction against the erring judge.^[8]

Judges are constantly reminded to decide cases with dispatch. Whenever a judge cannot decide a case promptly, all he has to do is ask this Court for a reasonable extension of time to resolve the case.^[9] In this case, however, Judge Angeles does not appear to have asked for an extension to resolve any of the overdue cases. Nor did he offer any satisfactory explanation for the delay. Instead, he pointed a finger at his staff members as the ones at fault.

Compounding said failure to decide cases on time is his delay in resolving pending incidents in 39 cases and in setting 19 cases in the court calendar, as well as in transmitting the records of 70 cases to the provincial prosecutor and acting on 243 cases with pending warrants of arrest. Judge Angeles conveniently lays the blame on his court interpreter, Flora SJ. Hular, the one in charge of the criminal cases. True, Hular admitted having had lapses in the performance of her duties. But we must stress that, ultimately, Judge Angeles had the primary responsibility of maintaining the professional competence of his staff. On this score, the Code of Judicial Conduct provides:

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.

More to the point, as held in *Lagatic vs. Peñas, Jr.*:^[10]

A judge cannot simply take refuge behind the inefficiency or mismanagement of his court personnel, for the latter are not the guardians of the former's responsibility.

Surely Judge Angeles ought to know the cases pending in his sala and their status. For he was expected to keep his own record of cases so that he could act on them with dispatch.^[11]

In the same manner, clerk of court Adelina R. Garrovillas could not heap all the blame on Hular and feel absolved of any liability for faulty court management. As clerk of court, Garrovillas is the administrative officer of the court who must ensure that her subordinates are performing their tasks properly, promptly, and efficiently.

As regards the court stenographers, Filomena A. Simbajon, Corazon J. Ines and Evangeline N. Urieta failed to give any reason, much less a satisfactory explanation for their failure to transcribe their stenographic notes within 20 days from the time the notes were taken. Clearly, this was against the mandate of Administrative Circular No. 24-90,^[12] dated July 12, 1990.

The efficient administration of justice requires that all officials and employees involved therein should perform their duties with a high sense of duty and responsibility. Any act or omission that negates this standard of public service should not be tolerated.

WHEREFORE, as recommended, we find JUDGE RICARDO P. ANGELES, former presiding judge, Municipal Circuit Trial Court of Teresa-Baras, Rizal, GUILTY of gross inefficiency, for which he is FINED in the amount of P10,000.00, to be deducted from the amount withheld by the Fiscal Management Office, Office of the Court Administrator, from his benefits.

Clerk of Court ADELINA R. GARROVILLAS and court stenographers FILOMENA A. SIMBAJON, CORAZON F. INES, and EVANGELINE N. URIETA, MCTC, Teresa-Baras, Rizal, are REPRIMANDED for

neglect of duty with a WARNING that a repetition of the same or similar offense will be dealt with more severely.

JUDGE REDEMIDO B. SANTOS, Municipal Trial Court, Morong, Rizal, and former Acting Presiding Judge, MCTC, Teresa-Baras, Rizal is DIRECTED to explain within 10 days why he should not be disciplinarily dealt with for promulgating the decisions rendered by Judge Ricardo P. Angeles after the latter's retirement, in Criminal Cases Nos. 5394 and 5656, despite earlier advice from the OCA audit team not to do so.

The Fiscal Management Office, Office of the Court Administrator, is DIRECTED to release to Judge Ricardo P. Angeles the rest of his retirement benefits, subject to the usual clearance requirements, after deducting therefrom the fine imposed in this decision, unless there be any other lawful reason for withholding the release.

SO ORDERED.

Bellosillo, (Chairman), Mendoza, Austria-Martinez, and Callejo, Sr., JJ., concur.

[1] OCA Audit Report dated November 5, 1999, p. 14.

[2] Supreme Court Resolution dated Feb. 23, 2000, pp. 1-6.

[3] Compliance letter, Adelina R. Garrovillas, Annex "E".

[4] OCA Memorandum dated November 15, 2001, p. 5.

[5] Id. at 5-7.

[6] CONSTITUTION, Art. VIII, Sec. 15 (1).

[7] Tauro vs. Colet, 306 SCRA 340, 346 (1999).

[8] Sanchez vs. Vestil, 298 SCRA 1, 17 (1998).

[9] Supra, note 7 at 346-347; Bernardo vs. Fabros, 307 SCRA 28, 35 (1999).

[10] 276 SCRA 46, 53 (1997), citing Tan vs. Madayag, 231 SCRA 62, 67 (1994), and Nidua vs. Lazaro, 174 SCRA 581, 586 (1989).

[11] Office of the Court Administrator vs. Benedicto, 296 SCRA 62, 72 (1998).

[12] Revised Rules on Transcription of stenographic notes and their transmission to Appellate Courts. See par. 2 (a).

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