

RE: REPORT ON THE JUDICIAL AUDIT CONDUCTED AT THE MUNICIPAL TRIAL COURT IN CITIES (BRANCH 1), SURIGAO CITY

A.M. NO. P-04-1835. January 11, 2005

Ponente: PANGANIBAN, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/5572a3809817/>

PANGANIBAN, J.:

Judges who write to the Supreme Court and inform it of their heavy work load, the humanly impossible task of disposing of it within the reglementary period, and their request for relief therefrom -- while in the meantime exerting their best effort to act promptly on the pending cases -- are not sanctionable for failing to decide those cases within the reglementary 90-day period.

The Case

Before the Court is a Complaint for inefficiency against Judge Quintin B. Alaan and for gross negligence against Clerk of Court Gaudencio B. Pantilo III. It originated from the judicial audit of the Municipal Trial Court in Cities (MTCC) Branch 1, Surigao City, conducted by the Office of the Court Administrator (OCA) in view of the compulsory retirement of Judge Alaan on October 31, 2004.[1]

Additionally, respondent judge presided over the Municipal Circuit Trial Court (MCTC), Tubog-Alegria, Surigao del Norte. He also acted as the presiding judge of the Municipal Trial Court (MTC), Mainit, the same province.[2] Pantilo was the clerk of court of the MTCC (Branch 1) of Surigao City prior to his promotion as clerk of court IV, Office of the Clerk of Court, Surigao City.[3]

In its May 17, 2004 Memorandum,[4] the OCA recommended the following:

“1. This matter be docketed as an ADMINISTRATIVE COMPLAINT;

“2. Hon. Quintin Alaan, Presiding Judge, Municipal Circuit Trial Court, Tubog-Alegria, Surigao del Norte be ADMONISHED for his failure to perform his duties and responsibilities with efficiency specifically in the prompt dispatch of court business with WARNING that a repetition of the same infraction in the future would be dealt with more severely;

“3. Mr. Gaudencio B. Pantilo III, Clerk of Court IV, Office of the Clerk of Court, Surigao City, be FINED the amount of FIVE THOUSAND PESOS [P5,000.00] for his gross negligence in the performance of his duties and responsibilities specifically in the prompt dispatch of court business, his failure to set for hearing the cases for reception of evidence ex-parte and properly monitor the cases which requires immediate appropriate actions with WARNING that a repetition of the same infractions in the future would be dealt with more severely;

“4. Mr. Felipe G. Ensono, Jr., Clerk of Court II, Municipal Trial Court in Cities, Br. 1, Surigao City be DIRECTED to [a] take appropriate action to [a.1] provide a logbook and the daily time records reflective of the correct and accurate time in and out of court personnel; [a.2] implement a systematic records management; [a.3] file on time the Monthly Report of Cases and the Semestral Docket Inventory of Cases; [b] regularly supervise the updating of entries in the docket books; and [c] apprise Acting Presiding Judge Leonora R.

Edera, from time to time of the cases submitted for decision/resolution and those that requires immediate action.”[5]

On July 7, 2004, the Court resolved as follows:

“(a) DOCKET the instant case as a regular administrative matter; and

“(b) DIRECT Mr. Felipe G. Ensono, Jr., Clerk of Court II, Municipal Trial Court in Cities, Branch 1, Surigao City to:

“(1) take appropriate action to: [a] provide a logbook and the daily time records reflective of the correct and accurate time in and out of court personnel, [b] implement a systematic records management; [c] file on time the monthly report of cases and the semestral docket inventory of cases;

“(2) regularly supervise the updating of the entries in the docket books; and

“(3) apprise the Acting Presiding Judge Leonora R. Edera from time to time of the cases submitted for decision/resolution and those that require immediate action.”[6]

The Facts

As a result of the judicial audit, the OCA found eleven civil cases submitted for decision and two civil cases for resolution; these were already beyond the ninety-day reglementary period to decide.[7] Likewise, there was failure -- for a considerable length of time -- to take appropriate action on 235 (74 criminal and 161 civil) cases or about 49 percent of the 484 cases pending at the time of the audit.[8]

In his explanation to the OCA, Judge Alaán stressed that he had a heavy case load because he was presiding not only over his regular sala, but also over two other courts; and that he was responsible also for some cases in the MCTC of San Francisco-Malimono and Taganaan-Sisonin, from which the presiding judges had inhibited themselves.[9] He further reasoned that the dearth of prosecutors and the intermittent reporting of Judge Lorna Navarro-Domingo, the former presiding judge of the MTCC (Branch 1) in Surigao City, hampered him from resolving the cases pending therein.[10] He narrated:[11]

“As early as the year 1999, the undersigned had already sought for his relief as Acting Presiding Judge of Branch 1, Municipal Judge thereat. Hon. Lorna Navarro-Domingo was merely temporarily detailed at MeTC, Quezon City upon the latter’s request. The Supreme Court granted the relief prayed for but the same was short-lived as the Hon. Lorna Navarro-Domingo sought for Reconsideration which was given due course. Thus, after a month’s relief, the undersigned was again actively hearing cases for Branch 1, Municipal Trial Court in Cities, Surigao City up to now, albeit there were times that Hon. Lorna Navarro Domingo stayed in her official post in Branch 1, Municipal Trial Court in Cities, Surigao City for a month and then she returned to MeTC, Quezon City as a detailed Judge for two to three months and returned again to her official post in Branch 1, Municipal Trial Court in Cities, Surigao City. Thus, the undersigned had barely warmed his chair so to speak, when Judge Lorna Navarro Domingo again returned to get her post. Moreover, there were cases submitted for resolution during the period of time that she reported for work in her official post in Surigao City. Hence, the difficulty of the undersigned to monitor the case flow of the pending cases in said sala. Be that as it may, the undersigned endeavored to decide the cases, be it submitted for resolution before the undersigned Acting Presiding Judge or the then regular Presiding Judge, Hon. Lorna Navarro-Domingo.”[12]

On the other hand, the OCA found Pantilo to have been lax in monitoring cases, a fact that had contributed to his inaction on 227 (74 criminal and 153 civil) cases.[13] It required him merely to explain why he had failed to schedule the reception of evidence in five cases and, for a considerable length of time, to take appropriate action on summonses issued by the lower court in 66 cases.[14]

Pantilo explained that he had already attended, though after the judicial audit, to the cases in which the cases in

which the reception of ex parte evidence had not been acted upon and no action on the summonses made, with the exception of only three cases that were already scheduled for hearing.[15] He further rationalized that delays were due to the repeated requests of counsels and the parties for more time to arrive at an amicable settlement.[16]

OCA Finding and Recommendation

Noting the explanation for the heavy load of Judge Alaan, the OCA opined that the delay could not be totally blamed on him. It recommended that he be admonished for his failure to perform his duties and responsibilities efficiently.

The OCA also said that the explanation of Pantilo was unpersuasive. “Nowhere in the records can it be found that he sent notices to parties and their counsel to bolster his claim of the resetting. He also offered no explanation of[f] his failure to take appropriate action on the summons[es] issued by the Court and which x x x [received] no action for a consideration length of time.”[17] It recommended that a fine of P5,000 be meted out to him.

The Court’s Ruling

We partially agree with the OCA’s recommendation.

Administratively Liability

Judge Quintin B. Alaan

The charge against Judge Alaan -- his alleged failure to perform his duties and responsibilities efficiently -- related to his alleged inability to decide cases and other judicial matters within the period required by the Constitution.[18]

This Court has always sanctioned judges who, without valid and justifiable reasons, failed to decide cases within the reglementary period. This policy was summarized in *Abarquez v. Rebosura*: [19]

“A judge is mandated to render a decision not more than 90 days from the time a case is submitted for decision. Judges are to dispose of the court’s business promptly and decide cases within the period specified in the Constitution, that is, 3 months from the filing of the last pleading, brief or memorandum. Failure to observe said rule constitutes a ground for administrative sanction against the defaulting judge, absent sufficient justification for his non-compliance therewith.”[20]

Clearly, Judge Alaan had an extra-heavy burden. Aside from his regular duty as judge of the MCTC of Tubog-Alegria, he was also assigned to preside over the MTCC (Branch 1) of Surigao City and the MTC of Mainit, Surigao del Norte. Moreover, he tried other cases in the MCTC of San Francisco-Malimono and Taganaan-Sison, from which the presiding judges had inhibited themselves.

As a rule, the mere fact that a case load is heavy cannot absolve erring judges from charges of inefficiency. They must request extensions of time within which to decide the delayed cases and matters.[21] This Court normally grants additional periods, once meritorious reasons are given. However, requests for extension can be implied when the OCA is informed in writing of a judge’s heavy case load. This principle especially holds true when there are other extenuating circumstances showing sufficient justifications for the failure to resolve cases on time.[22]

In the present factual milieu, the heavy case load of Judge Alaan was known to the OCA, considering that he had been detailed to many vacant salas. It knew the accompanying rigors of travel to these different courts. In addition, his health problems were so serious that he was eventually relieved in 2003 as acting executive judge and acting presiding judge of the MTCC (Branch 1) of Surigao City.[23] He was hospitalized from March 31 to

April 7, 2003, at the Manila Doctor's Hospital due to a mild stroke, because of which he was advised to rest for a period of thirty days from the time of his admission.[24]

In fact, the OCA itself observed that as early as 1999, Judge Alaan had already sought relief as acting presiding judge of the MTCC (Branch 1) of Surigao City because of his failing health, old age and heavy case load. Prior to his discharge, he had informed the OCA of his intention to again request his relief and possibly to apply for optional retirement by June 2003.[25]

Indeed, the written request of Judge Alaan to be relieved of his duties on the ground, inter alia, of a heavy case load can also be deemed as a plea for an additional period beyond the 90-day requirement within which to decide cases. Such request indicated that he was aware of the need to act promptly on the cases before him and was conscientiously doing something to ensure that justice would be served.

The extenuating circumstances in the present case absolve Judge Allan from administrative liability. These circumstances justify his failure to act immediately on pending cases.

Gaudencio B. Pantilo III

The Court notes that Pantilo failed to offer any valid explanation of his failure to schedule the ex parte presentation of evidence and, for a considerable length of time, to take appropriate action on summonses issued by the lower court. The fact that the cases were eventually resolved and disposed of after the judicial audit had been conducted does not exculpate him from administrative liability. For his failure to act promptly on the court's business, he is deemed guilty of negligence.

We stress that clerks of court are essential judicial officers who perform delicate administrative functions vital to the prompt and proper administration of justice.[26] Their duty is, inter alia, to assist in the management of the calendar of the court and in all matters that do not involve the discretion or judgment properly belonging to the judge.[27] They play a key role in the complement of the court, as their office is the hub of adjudicative and administrative orders, processes and concerns.[28] As such, they are required to be persons of competence, honesty and probity;[29] they cannot be permitted to slacken on their jobs.[30]

An important duty of the trial court is to conduct a monthly physical inventory of cases.[31] Thus, on the clerks of court, as much as on the judges, rests the responsibility for ensuring that delay in the disposition of cases is kept to a minimum.[32]

For failing without any valid reason to (a) set the cases for hearing for the ex parte presentation of evidence and (b) to take appropriate action on the summonses issued by the court, Pantilo is held liable for negligence in the performance of his duties and responsibilities.

WHEREFORE, the Complaint for inefficiency against Judge Quintin B. Alaan is DISMISSED. However, it is given due course in reference to Gaudencio B. Pantilo III, who is found GUILTY of simple negligence (deemed a light charge under Rule 140), for which he is ordered to pay a FINE of five thousand pesos (P5,000). He is WARNED that a repetition of the same or similar infractions in the future will be dealt with more severely.

SO ORDERED.

Sandoval-Gutierrez, Corona, Carpio Morales, and Garcia, JJ., concur.

[1] Judge Alaan was appointed as acting presiding judge and executive judge therein, by virtue of Administrative Order No. 96-97 dated October 21, 1997. Audit Report dated May 17, 2004, p. 11.

[2] *Id.*, p. 1.

[3] Gaudencio Pantilo III was promoted to clerk of court IV, Office of the Clerk of Court, on February 9, 2001. See OCA Internal Memorandum dated February 3, 2003, p. 12. On April 2, 2001, Judge Alaan designated him as acting branch clerk of court for MTCC, Branch 1, Surigao City, without additional compensation, in addition to his regular duties as clerk of court IV of the Office of the Clerk of Court. MTCC, Branch 1, Surigao City. See Office Order No. 01-2001.

[4] Addressed to Chief Justice Hilario G. Davide Jr.

[5] Audit Report dated May 17, 2004, pp. 14-15.

[6] SC Resolution dated July 7, 2004.

[7] Audit Report dated May 17, 2004, p. 11.

[8] *Ibid.*

[9] *Ibid.*

[10] According to Judge Alaan, Judge Domingo divided her time by spending months at her official post in MTCC Branch 1; and at MeTC, Quezon City, as detailed judge. *Ibid.*

[11] *Id.*, pp. 11-12.

[12] Letter to the OCA from acting Presiding Judge Quintin V. Alaan, pp. 3-4.

[13] *Id.*, p. 13.

[14] OCA's Memorandum to the Respondents dated February 3, 2003, p. 3.

[15] Gaudencio Pantilo's Letter of Explanation dated March 27, 2003.

[16] *Ibid.*

[17] Audit Report dated May 17, 2004, p. 13.

[18] §15(1), Article VIII of the Constitution, states that "[a]ll cases or matters filed after the effectivity of the Constitution must be decided or resolved within twenty four months from date of submission to the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three months for all other lower courts."

[19] 349 Phil. 24, January 28, 1998, per curiam.

[20] *Abarquez v. Rebosura*; *supra*, pp. 35-36, per curiam. Emphasis supplied.

[21] Report on the Judicial Audit Conducted in MTCC-Brs 1, 2 & 3, Mandaue City, 406 SCRA 285, 295, July 17, 2003; *Tierra Firma Estate and Development Corporation v. Quintin*, 433 Phil. 19, 23, July 2, 2002.

[22] Report of the Judicial Audit Conducted in the Regional Trial Court, Branch 144, Makati City, AM No. 03-11-628-RTC, November 25, 2004; *Santos v. Lorenzo*, 387 SCRA 406, 413, August 20, 2002.

[23] Pursuant to Administrative Order No. 94-2003 dated July 2, 2003, Judge Leonora R. Edera -- 6th MCTC, Dinagat-Basilisa-Cagdianao, Surigao del Norte -- was designated as acting presiding judge therein. Pursuant to Administrative Order No. 33-2003 dated March 13, 2003, Judge Victor A. Canoy, acting presiding judge of the MTCC, Branch 2, Surigao City, was designated as the acting executive judge of the MTCC, Surigao City. Audit

Report dated May 17, 2004, p. 12.

[24] *Id.*, p. 12.

[25] *Ibid.*

[26] *Office of the Court Administrator v. Saguyod*, 429 Phil. 421, 428, March 25, 2002; *Escañan v. Monterola II*, 351 SCRA 228, 234, February 6, 2001; *Report on the Judicial Audit, RTC, Br. 29 & 59, Toledo City*, 354 Phil. 8, 18, July 8, 1998.

[27] *Nones v. Ormita*, 390 SCRA 519, 524, October 9, 2002.

[28] *Office of the Court Administrator v. Saguyod*, *supra*; *Escañan v. Monterola*, *supra* on p. 234.

[29] *Nones v. Ormita*, *supra*.

[30] *Office of the Court Administrator v. Saguyod*, *supra* on p. 429; *Escañan v. Monterola*, *supra*.

[31] Chapter VII(D), 2002 Revised Manual for Clerks of Court.

[32] See *Office of the Court Administrator v. Quizon*, 427 Phil. 63, 80, February 13, 2002.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.