

RE: LIST OF JUDGES WHO FAILED TO COMPLY WITH ADMINISTRATIVE CIRCULAR NO. 10-94, DATED JUNE 29, 1994.

A.M. No. 00-3-14-SC. October 04, 2002

Ponente: PANGANIBAN, J.

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PANGANIBAN, J.:

True, the main function of judges is to resolve pending cases. However, they should not overlook or neglect compliance with the Supreme Court's administrative circulars, which are designed to promote the efficient and effective administration of justice. Furthermore, they cannot escape administrative liability by pointing to lapses, absences or negligence of court personnel under them. After all, the proper and smooth functioning of their respective salas is the responsibility primarily of judges.

The Facts

In compliance with Administrative Circular (AC) No. 10-94 dated July 29, 1994, then Court Administrator Alfredo L. Benipayo, in a Memorandum[1] dated March 21, 2000, furnished this Court with the list of judges who had failed to submit the required tabulation of all pending cases.[2] The Circular provides:

“ADMINISTRATIVE CIRCULAR NO. 10-94

TO : ALL TRIAL COURT JUDGES AND CLERKS OF COURT/BRANCH CLERKS OF COURT

SUBJECT : DOCKET INVENTORY AND MONTHLY POSTING OF LIST OF SUBMITTED CASES

A. Docket Inventory

1. The Court reiterates the directive to all trial judges for the physical inventory of their dockets, as required by Administrative Circular No. 1 dated January 28, 1988. The administrative circular requires all trial judges to conduct a physical inventory at the time of assumption, and every semester thereafter on June 30th and December 31st.
2. In order to amplify and make more effective the circular, all trial judges shall observe the following docket inventory procedure.
 - a. Every trial judge shall submit not later than the last week of February and the last week of August of each year a tabulation of all pending cases which shall indicate on a horizontal column the following data.
 - Title of the Case
 - Date of Filing
 - Date of Pre-trial in civil cases and arraignment in criminal cases
 - Date of initial trial

- Date of last hearing

- Date submitted for Decision

b. The tabulation shall end with a certification by the trial judge that he/she has personally undertaken an inventory of the pending cases in his/her court; that he/she has examined each case record and initialled the last page thereof. The judge shall indicate in his/her certification the date when inventory was conducted.

c. The Tabulation and Certification shall be in the following form.

B. Posting of Cases submitted for Decision

All Clerks of Court/Branch Clerks of Court shall cause to be posted at the end of each month the list of cases submitted for decision, at a conspicuous place on the door of the session hall to be available for inspection by representatives of the Supreme Court and interested parties. The list shall carry the case number only, together with the date of submission for decision. The list for the following month shall be updated by the deletion of the cases decided by the judge, and inclusion of cases submitted for decision since the last posting.

A copy of the list shall be furnished the local chapter of the Integrated Bar of the Philippines of the City or Province where the Court is located. The Branch Clerk of Court shall certify compliance with the posting requirement.

C. Penalties

Wilful non-compliance with the circular shall constitute serious misconduct and shall warrant imposition of the appropriate penalties. The Office of the Court Administrator shall report to the court non-compliance with the circular within 30 days from the expiration of the period for compliance.

D. Effectivity

This Circular shall take effect immediately. The first inventory shall be submitted by all trial courts within the first week of August 1994. The first monthly posting shall be the last week of August 1994.”

In its April 4, 2000 en banc Resolution, this Court resolved:

“(a) [To] NOTE the Memorandum dated 21 March 2000 of Court Administrator Alfredo L. Benipayo, submitting for the Court’s consideration the list of judges who failed to comply with Administrative Circular No. 10-94; (b) DIRECT the judges concerned to EXPLAIN within ten (10) days from notice why no administrative sanction should be imposed upon them for failure to comply with the said circular; and (c) DIRECT the Financial Management Office, Office of the Court Administrator, to WITHHOLD their salary checks immediately and until further orders from the Court.”[3]

Of the 57 judges who failed to comply with the Administrative Circular, 4 submitted the required Semestral Docket Inventory of Cases, while 53 complied with Item (b) of the above-mentioned Resolution.

In his July 17, 2000 Memorandum,[4] Court Administrator Benipayo classified the judges into six categories, based on their explanations of their failure to comply with AC 10-94. The members of the first group said that they failed to comply with AC 10-94 because of heavy caseloads, too much work and/or their holding of multiple salas.[5] The second explained that they were on official leave at the time the required reports were supposed to have been submitted.[6] The third cited the lack of manpower caused by either the vacancy of the position of branch clerk of court or the official leave of the personnel concerned at the time the reports were to be prepared.[7] The fourth admitted poor supervision of court employees, or oversight on their part or on that of the branch clerk of court.[8] The fifth denied knowledge of the existence of the said Circular;[9] while the sixth admitted their failure, but failed to explain it.[10]

In the same en banc Resolution, the Court also directed the judges who failed to comply with the Circular to explain why no administrative sanctions should be imposed upon them.

Some of the judges who filed their explanations after the issuance of the July 17, 2000 Office of the Court Administrator (OCA) Memorandum were the following: Judges Gil R. Acosta of the Metropolitan Trial Court in Cities (MTCC), Branch (Br.) 3, Cebu City; Placido B. Vallarta, Municipal Circuit Trial Court (MCTC), Br. 4, Cabiao, Nueva Ecija; Lauro G. Sandoval, Regional Trial Court (RTC), Br. 37, Sto. Domingo, Nueva Ecija; Nery G. Duremdes, RTC, Br. 11, San Jose, Antique; Romulo G. Carteciano, Municipal Trial Court (MTC), Los Baños, Laguna; Antonio C. Lubguban, MCTC, Siquijor-Enrique, Siquijor; and Aturo G. Doronila, MCTC, Zarraga, Iloilo.

Judge Paguio of MTC, Meycauayan, Bulacan, Br. 1, in his letter^[11] dated July 20, 2000, explained that his late submission was due to the recent expansion of the MTC's jurisdiction, resulting in his increased caseload and failure to remind the branch clerk of court to prepare the inventory report. In our September 6, 2000 Resolution, we warned him that failure to comply with AC Nos. 1-88 and 10-94 in the future would be dealt with more severely.^[12]

On the other hand, among the other explanations given by Judge Vallarta in his August 18, 2000 letter,^[13] was that he was giving time to his clerk of court to locate several missing records. The former feared that the latter, against whom an administrative complaint was pending, would again be put in trouble.

In his letter^[14] of June 20, 2000, Judge Acosta explained that he had started to conduct the physical inventory, and that he had applied for an indefinite leave of absence in order to write decisions. For his part, Judge Diaz said that he was handling more than 700 cases, and that he was delegating the responsibility of submitting the inventory of those cases to the branch clerk of court.^[15]

Judge Sandoval wrote in his Compliance^[16] dated August 14, 2000, that all the records in his court, together with the Monthly Report of Cases and Docket Inventories, had been destroyed in the March 6, 2000 fire that gutted the courthouse.

Again, in the December 11, 2000 Resolution^[17] of the Third Division, we warned that failure to comply with AC 10-94 in the future would be dealt with more severely. Judge Acosta was given a 30-day extension of time to submit the required docket inventory of cases.^[18]

The only item that needs to be resolved is that which concerns Judge Tan of the RTC of Balaon, La Union, Br. 34. In his letter^[19] of May 17, 2000, he gave the following explanation: (1) Clerk of Court Atty. Jovito M. Marron had not been reporting for work since August 1999; (2) Staff Clerk Gloria Vallejos had been on maternity leave from January to March 2000; and (3) Staff Clerk Rosita Osoteo Oriente had also been on sick leave since September 1999, thus contributing to the delay in the preparation of the inventory of cases.

Upon verification with the Leave Division of this Court, the court administrator found out that Mrs. Oriente had reported for work during the period in question, and that she had not filed any leave of absence.^[20] Because of the discrepancy, we issued a Resolution on July 26, 2000 requiring Judge Tan to explain why he reported that Mrs. Oriente had been on sick leave when she had not filed any leave of absence during the said period. In his August 2, 2000 letter,^[21] he furnished this Court a photocopy of Mrs. Oriente's daily time record (DTR)^[22] to show that she had really been on sick leave, particularly on September 15 and 16, 1999.

Thus, the Court, in its December 11, 2000 Resolution,^[23] directed (1) Mrs. Oriente to explain the discrepancy between her September 1999 DTR filed with the Leave Division of the OCA and the one filed in Branch 34, and (2) Officer-in-Charge Virgilio S. Sarmiento to comment on the conflicting DTRs.^[24]

Mrs. Oriente, in her February 1, 2001 letter,[25] said that Judge Tan himself certified that she had indeed been on sick leave on September 15 and 16, 1999. This letter contained the conforme of Mr. Sarmiento at the bottom of the page. However, in his July 31, 2001 letter,[26] he admitted that her true and correct DTR was the one that reflected no absences. He also intimated that their first explanation dated February 1, 2001 had been prepared by the judge himself. The latter allegedly signed the letter in conforme without first verifying the sick leave.

In her second letter[27] dated July 31, 2001, Mrs. Oriente reiterated that she had been on sick leave on September 15 and 16, 1999, and claimed that she entirely forgot that she had been absent for two days because of a toothache. She was supposedly requested by Judge Tan to duplicate her September 1999 DTR, so that her sick leave would be reflected.

Judge Tan, in his December 11, 2001 letter,[28] prayed that Mrs. Oriente and Mr. Sarmiento, who had no intention to defraud the Court, be exonerated from any wrongdoing. Before finalizing his explanation to this Court, the judge allegedly called Mrs. Oriente to his chambers and reminded her of her absences. After she informed him that she had forgotten to reflect her absences on her DTR, he supposedly advised her to correct her personal copy of the DTR. He added that Mr. Sarmiento had not been informed of the circumstances and was therefore completely unaware of the discrepancy.

OCA's Recommendations

In his Memorandum dated May 30, 2002, the Office of the Court Administrator evaluated the letters of Judge Tan, Mrs. Oriente and Mr. Sarmiento in this wise:

"It is interesting to note that in Mrs. Oriente's letter, which Mr. Sarmiento alleged to have been prepared by Judge Tan (said allegation was never contested by Judge Tan in his Comment of 11 December 2001) created an impression that it was Judge Tan who asked that the duplicate copy of the DTR be altered. On the other hand, Judge Tan later used the word 'advised' in his Comment x x x [which] appeared to be logical as it was Judge Tan who needed the DTR reflecting a 2-day absence to support his x x x explanation x x x.

x x x x x x x x

"Just like Judge Tan, Mrs. Oriente had not been candid enough to inform this Court of the fact that she forgot to reflect the absences incurred on the said dates. x x x The standard procedure is to file an application for leave of absence in addition to the Daily Time Record filed with the Leave Division. Every judiciary employee should know this rule.

"x x x. It is regrettable that he resorted to passing the blame of his nonfeasance to his subordinates. Besides, proper and efficient court management is the responsibility of the judge, and as such he is directly responsible for the proper discharge of his official functions. Obviously, the DTR of Mrs. Oriente for September 1999 was altered to justify Judge Tan's reasons for failure to comply with Circular No. 10-94. As a judge he should set an example of honesty and probity. Admission of one's mistake is a noble act rather than [resorting to] alibi [which] is inherently a weak defense."[29]

This Court's Ruling

We agree with the OCA that Judge Tan and Mrs. Oriente should be administratively sanctioned.

In his Memorandum dated July 17, 2000, former Court Administrator Benipayo said that the excuses proffered were unsatisfactory. First, a heavy caseload is not a valid justification for the infraction because of the following reasons: (a) AC 17-94 dated November 14, 1994 authorizes trial judges to devote one week of each semester to audit and inventory, and trials need not be scheduled during this period; and (b) if the cases pending in their courts become truly unmanageable, the proper and prudent course of action would be to give the OCA advance

information about their predicament and to request an extension of time to file the required reports.

The Court is not unmindful of the heavy caseload that confronts most trial court judges. Precisely for this reason, it has been most sympathetic in granting their motions for extension of time.[30] It would be wrong for them to pass up, on their own, a duty incumbent upon them.

Second, being on official leave at the time the required reports were to be submitted is not a satisfactory explanation. A vacation, especially for judges, is not an excuse to abandon duties assigned to them. Considering that the required reports are to be submitted regularly and not later than the last week of February and August of each year, they have to bear in mind that they should take appropriate actions to secure an extension of time well in advance of the deadline.

The absence of the delegated court officer or employee is not a sufficient excuse, either, because the role of the officer-in-charge or branch clerk of court is not indispensable to the accomplishment of the task. Item A(2b) of AC 10-94 requires that “the trial judge personally [undertake] an inventory of the pending cases in his/her court; [and] that he/she has examined each case record and initialed the last page thereof.” Since proper and official court management is ultimately their responsibility, judges should not depend on the clerks of court for the preparation of the monthly reports.[31] Judges cannot simply take refuge behind the inefficiency or mismanagement of their court personnel, because the latter are not responsible for the former’s negligence.[32]

As regards the excuse that the inventory reports of Judge Sandoval were destroyed when his courthouse was allegedly burned down on March 6, 2000, the records show that the fire occurred at a later date, when the reports for February and August 1999 and February 2000 had already been long overdue. Magistrates cannot be allowed to use their employees as shields to evade responsibility for mistakes and mishaps in the course of their performance of judicial duties.[33]

On the third set of excuses, the former court administrator said that the lack of manpower arising from a vacancy or a leave in the Office of Clerk of Court is immaterial, because the inventory and the report are the responsibilities of the judges themselves. The excuse that there was no branch clerk of court for one year and four months is puerile, as it is a judge’s duty to recommend to the Supreme Court the immediate appointment of a replacement.[34] It is only the typing of the reports that can be delegated to court personnel. Be that as it may, considering that the reports were delayed for a year and a half, it was improbable for a court employee to have been continuously on leave for that length of time.

Oversight, failure or negligence in apprising and reminding subordinates of the deadline are similarly unjustifiable, because the judges were sent telegrams after the lapse of the period for submission. In fact, it has become the practice of most judges to deliberately wait for those telegrams before complying with the requirements. Hence, their reports are usually more than half a year late. Such telegrams no longer serve their purpose. Instead of being a means to minimize administrative cases against them, they create the presumption that they are a condition precedent to compliance. Judges should be the first to be cognizant of and responsible for complying with court requirements.

Proper and efficient court management is their responsibility, because they are directly responsible for the proper discharge of their official functions.[35] This principle runs counter to the contention of Judge Harun B. Ismael, RTC, Pagadian City, Br. 22, that he ought not to be concerned with the minutest things that may transpire in his sala, but only with conducting hearings, disposing of cases and certifying the correctness of the inventory report. Although the preparation of the physical inventory should be a concerted effort between the presiding judge and the court staff, the responsibility rests primarily with the former.[36]

Similarly, lack of knowledge of the requirements of AC 10-94 is not an acceptable excuse.[37] Judges are expected to keep abreast of and be conversant with the rules and circulars issued by the Supreme Court.[38]

If the foregoing reasons are unsatisfactory, with all the more reason should alibi and admission of failure not qualify as excuses for erring judges.

The court administrator concludes that while some judges were totally ignorant of the importance of complying with AC 10-94, others failed to comply because of their total dedication to their job. Distinguishing between the two is just as difficult. After all, court personnel are no different from ordinary civil service employees, who at one time or another commit errors or become negligent.

While the main function of a judge is to resolve pending cases, the accomplishment of the required reports supports the policy of effective supervision of lower courts and indirectly guarantees and protects the rights of litigants. This administrative case can serve as a vehicle to inform judges that the unjustified failure to comply with AC 10-94 cannot be countenanced by this Court. Under Item C of the Circular, willful noncompliance constitutes serious misconduct warranting the imposition of appropriate penalties.

It goes without saying that judges should respect orders and decisions of the Supreme Court. Part of the respect they owe to this tribunal requires that they be candid when asked to explain why no disciplinary sanction should be imposed on them. Judge Tan should have simply informed the Court that Mrs. Oriente forgot to reflect the absences she had incurred and immediately set the record straight, instead of making her muddle the incident with half-truths and vague explanations. As she herself admitted, it was the judge who had prepared her February 1, 2001 letter. The same admonition we give to him applies to her.

Judge Tan is further reminded that the semestral docket inventory is his responsibility, and that the absence of his staff is not an acceptable excuse for his failure to transmit those reports on time. But more than that, he owes candor to this Court when rendering an explanation, in the same way he expects it from lawyers who appear before his court.

Section 10 of AM No. 01-8-10-SC, which amended Rule 140 of the Rules of Court, provides that undue delay in the submission of monthly reports is a light charge. Under Section 11, it is punishable with a fine of not less than P1,000, but not exceeding P10,000; and/or censure, reprimand or admonition with warning.

WHEREFORE, Judge Senecio O. Tan and Mrs. Rosita O. Oriente are hereby found LIABLE for failing to comply with Administrative Circular No. 10-94 and for attempting to mislead the Court by submitting conflicting DTRs. Thus, they are each fined P5,000 and P3,000, respectively. They are warned that a repetition of the same or a similar act shall be dealt with more severely.

SO ORDERED.

Puno (Chairman), Corona, and Carpio-Morales, JJ., concur.
Sandoval-Gutierrez, J., abroad on official leave.

[1] Rollo, p. 1.

[2] The following judges were included in the list: Judges Marino M. dela Cruz, RTC, Br. 15, Manila; Guillermo L. Loja Sr., RTC, Br. 26, Manila; Juan C. Nabong Jr., RTC, Br. 32, Manila; Lorenzo B. Veneracion, RTC, Br. 47, Manila; Ernesto A. Reyes, RTC, Br. 111, Pasay City; Jaime F. Bautista, RTC, Br. 75, Valenzuela City; Alberto V. Benesa, RTC, Br. 58, Bucay, Abra; Senecio O. Tan, RTC, Br. 34, Balaoan, La Union; Ma. Theresa DT. Yadao, RTC, Br. 38, Maddela, Quirino; Jose Ener S. Fernando, RTC, Br. 5, Dinalupihan, Bataan; Blas O. Causapin Jr.,

RTC, Br. 32, Guimba, Nueva Ecija; Lauro G. Sandoval, RTC, Br. 37, Sto. Domingo, N. Ecija; Liberato C. Cortes, RTC, Br. 8, Batangas City; Manuel C. Luna Jr., RTC, Br. 42, Pinamalayan, Or. Min.; Nery G. Duremdes, RTC, Br. 11, San Jose, Antique; Gerardo D. Diaz, RTC, Br. 68, Dumangas, Iloilo; Renato D. Muñoz, RTC, Br. 60, Cadiz City; Alfonso V. Combong Jr., RTC, Br. 63, La Carlota City; Harun B. [Ismael], RTC, Br. 22, Pagadian City; Noli T. Catli, RTC, Br. 25, Cagayan de Oro City; Virginia H. Europa, RTC, Br. 11, Davao City; Yusoph K. Pangadapun, RTC, Br. 10, Marawi City; Leodegario C. Quilatan, MeTC, Br. 57, San Juan; Maxwell S. Rosete (Acting), MeTC, Br. 58, San Juan; Gil A. Acosta, MTCC, Br. 3, Cebu City; Isagani A. Geronimo, MTCC, Br. 2, Antipolo City; Corpuz B. Alzate, MTC, Bucay, Abra; Estela V. Barbero, MTC, Langangilang, Abra; Rosita B. Salazar, MCTC, Baay-Licuan-Lacub, Abra; Melvyn U. Calvin, MCTC, Bangui-Pagudpud, Ilocos Norte; Santiago E. Soriano, MTC, Naguilian, La Union; Caroline B. Pangan, MTC, Rosario, La Union; Amante T. Bandayrel, MTC, Binmaley, Pangasinan; Oscar D. Mata; MTC, Sabtang, Batanes; Vilma T. Pauig, MTC, Br. 1, Tuguegarao, Cagayan; Jimmy R. Butacan, MTC, Br. 4, Tuguegarao, Cagayan; Gregorio C. Allapitan, MCTC, Naguilian-R. Mercedes, Isabela; Orlando C. Paguiao, MTC, Meycauayan, Bulacan; Nicasio V. Bartolome, MTC, Sta. Maria, Bulacan; Joselito R. dela Cruz, MTC, Rizal, N. Ecija; Ricardo M. Agapito, MCTC, Laur-Gabaldon, N. Ecija; Placido B. Vallarta, MCTC, Cabiao-San Isidro, N. Ecija, Valentino B. Nogoy, MCTC, Macabebe-Masantol, Pampanga; Serafin B. David, MCTC, Apalit, San Simon, Pampanga; Alberico B. Umali; MTC, San Pascual, Batangas; Romulo G. Carteciano, MTC, Los Baños, Laguna; Eduardo H. Mirafuente, MTC, Mogpog, Marinduque; Reuben A. Cosuco, MTC, Mamburao, Occ. Mindoro; Josefino A. Garillo, MCTC, Magsaysay-Rizal, Occ. Mindoro; Lydia A. Pe, MTC, Narra, Palawan; Pedro S. Nantes, MCTC, Alabat-Quezon-Perez, Quezon; Jovito B. Palo Jr., MTC, Pasacao, Camarines Sur; Arturo G. Doronila, MCTC, Zarraga-New Lucena, Iloilo; Manuel A. de Castro, MCTC, Jagna-Garcia-Hernandez, Bohol; Avelino N. Puracan, MCTC, Dagohoy-Danao, Bohol; Antonio C. Lubguban, MCTC, Siquijor-Enrique-Villanueva-Larena, Siquijor and Jose C. Ocenar, MCTC, Catarman-L. de Vega, N. Samar; rollo, pp. 2-3.

[3] Rollo, p. 4.

[4] Rollo, pp. 780-796.

[5] Judges dela Cruz, RTC, Br. 15, Manila; Loja Sr., RTC, Br. 26, Manila; Veneracion, RTC, Br. 47, Manila; Benesa, RTC, Br. 58, Bucay, Abra; Combong Jr., RTC, Br. 63, La Carlota City; Rosete, in his capacity as Acting Presiding Judge of MeTC, Br. 58; San Juan; Geronimo, MTCC, Br. 2, Antipolo City; Bandayrel, MTC, Binmaley, Pangasinan; Pauig, MTC, Br. 1, Tuguegarao, Cagayan; Butacan, MTC, Br. 4, Tuguegarao, Cagayan; Agapito, MCTC, Laur-Gabaldon, Nueva Ecija; Pe, MTC, Narra, Palawan; Palo Jr., MTC, Pasacao, Camarines Sur; Puracan, MCTC, Dagohoy-Danao, Bohol; Quilatan, MeTC, Br. 57, San Juan; and Doronilla, MCTC, Zarraga-Luganes-New Lucena, Iloilo.

[6] Judges Nabong Jr., RTC, Br. 32, Manila; Reyes, RTC, Br. 111, Pasay City; and Sandoval, RTC, Br. 37, Sto. Domingo, Nueva Ecija.

[7] Judges Pangadapun, RTC, Br. 10, Marawi City; Bautista, RTC, Br. 75, Valenzuela City; Tan, RTC, Br. 34, Balaoan, La Union; and Luna Jr., RTC, Br. 42, Pinamalayan, Oriental Mindoro.

[8] Judges Ma. Theresa DT. Yadao of RTC, Br. 38, Maddela, Quirino; Blas O. Causapin Jr. of RTC, Br. 32, Guimba, Nueva Ecija; Jose Ener S. Fernando of RTC, Br. 5, Dinalupihan, Bataan; Corpuz B. Alzate of MTC, Bucay, Abra; Melvin U. Calvin of MCTC, Bangui-Pagudpud, Ilocos Norte; Romulo G. Carteciano of MTC, Los Baños, Laguna; Eduardo H. Mirafuente of MTC, Mogpog, Marinduque; Reuben A. Casuco of MTC, Mamburao, Occidental Mindoro; and Santiago E. Soriano of MTC, Naguillan, La Union.

[9] Judges Gil [R.] Acosta of MTCC, Br. 3, Cebu City; Rosita B. Salazar of MCTC, Baay-Licuan-Lacub, Abra;

Caroline B. Pangan of MTC, Rosario, La Union; Manuel A. de Castro of MCTC, Jagna-Garcia-Hernandez, Bohol; Valentino B. Nogoy of MCTC, Macabebe-Masantol, Pampanga; Serafin B. David of MCTC, Apalit-San Simon, Pampanga; Alberico B. Umali of MTC, San Pascual, Batangas; Gregorio C. Allapitan of MCTC, Naguilian-R. Mercedes, Isabela; and Pedro S. Nantes of MCTC, Alabat-Perez, Quezon.

[10] Judges Virginia H. Europa of RTC, Br. 11, Davao City; Renato D. Muñoz of RTC, Br. 60, Cadiz City; Noli T. Catli of RTC, Br. 25, Cagayan de Oro City; Nery D. Duremdes of RTC, Br. 11, San Jose, Antique; Oscar D. Mata of MTC, Sabtang, Batanes; Nicasio V. Bartolome of MTC, Sta. Maria, Bulacan; Joselito R. dela Cruz of MTC, Rizal, Nueva Ecija; Josefino A. Garillo of MCTC, Magsaysay-Rizal, Occidental Mindoro; Jose C. Ocenar of MCTC Catarman-Lope de Vega, Northern Samar; Harun B. Ismael of RTC, Br. 22, Pagadian City; Orlando C. Paguio of MTC, Meycauayan, Bulacan; and Antonio C. Lubguban of MCTC, Siquijor-Enrique Villanueva-Larena, Siquijor.

[11] Rollo, p. 813.

[12] *Id.*, pp. 866-867.

[13] *Id.*, pp. 844-845.

[14] *Id.*, p. 830.

[15] *Id.*, pp. 854-855.

[16] *Id.*, p. 859.

[17] *Id.*, pp. 888-889.

[18] *Ibid.*

[19] *Id.*, p. 868.

[20] July 26, 2000 Resolution; rollo, p. 831.

[21] Rollo, p. 840.

[22] *Id.*, p. 842.

[23] Item (c) (1); *id.*, p. 888.

[24] Item (c) (2), *ibid.*

[25] *Id.*, p. 891.

[26] *Id.*, p. 907.

[27] *Id.*, p. 915.

[28] *Id.*, pp. 924-925.

[29] *Id.*, pp. 929-931.

[30] *Bontuyan v. Villarin*, AM No. RTJ-02-1718, August 26, 2002; Report on the Judicial Audit Conducted in RTC-Brs. 61 & 63, Quezon; *MTC-Calauag, Quezon & Tagkawayan, Quezon*, 328 SCRA 543, 580, March 21, 2000; *Office of the Court Administrator v. Salva*, 336 SCRA 133, 142, July 19, 2000; Cases Submitted for Decision Before Retired Judge Maximo A. Savellano Jr., RTC-Br. 53, Manila, 329 SCRA 637, 644, April 5, 2000; *Office of the Court Administrator v. Quiñanola*, 317 SCRA 37, 49, October 20, 1999.

[31] Office of the Court Administrator v. Salva; *supra*, p. 141.

[32] Lagatic v. Peñas Jr., 276 SCRA 46, 53, July 24, 1997.

[33] Hilario v. Concepcion, 327 SCRA 96, 104, March 2, 2000.

[34] Re: Report on the Judicial Audit Conducted in the RTC-Br. 37, Lingayen, Pangasinan, 336 SCRA 344, 349, July 24, 2000.

[35] Abarquez v. Rebosura, 285 SCRA 109, 120-121, January 28, 1998.

[36] Cf. OCA v. Quiñanola; *supra*, p. 52.

[37] Ualat v. Ramos, 265 SCRA 345, 358, December 6, 1996; Espiritu v. Jovellanos, 280 SCRA 579, 589, October 16, 1997.

[38] Bayog v. Natino, 258 SCRA 378, 393, July 5, 1996.

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