

REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE RTC, BRANCH 18, TAGAYTAY CITY.

A.M. NO. 04-9-512-RTC. December 13, 2005

Ponente: SANDOVAL-GUTIERREZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-04-9-512/>

SANDOVAL-GUTIERREZ, J.:

Prior to the compulsory retirement of Judge Alfonso S. Garcia as Presiding Judge of the Regional Trial Court, Branch 18, Tagaytay City, on December 18, 2003, this Court issued Administrative Order No. 80-2003, dated June 6, 2003, directing him to decide all cases submitted to him for decision and those he inherited from his predecessors. The Court likewise ordered a judicial audit and physical inventory of cases in his court.

After the audit team had submitted its report, the Office of the Court Administrator (OCA) issued a memorandum dated September 17, 2003 directing Judge Garcia (1) to explain within ten (10) days from notice why he failed to decide the ninety one (91) cases, civil and criminal, submitted to him for decision; (2) to decide the said ninety one (91) cases and resolve the pending motions in thirteen (13) civil cases before his retirement on December 8, 2003; and (3) to submit a copy of the decision/resolution issued in each of these cases to the Court Management Office (CMO), within ten (10) days from promulgation/rendition thereof.

On October 10, 2003, Judge Garcia submitted his compliance reporting that he had already resolved all the motions mentioned in the audit report. He also reported that he "practically decided all the cases submitted to him for decision," enumerating therein the forty-four (44) cases, civil and criminal, disposed of from the time he received a copy of Administrative Order No. 80-2003 on June 12, 2003. He further averred that a check of the cases and motions cited reveals that at least six cases (TG-1122, TG-2247, TG-2148, TG-1461, TG-1966 and TG-2127) appeared to have been typewritten twice.

On October 20, 2003, the Court issued Administrative Order No. 140, 2003 amending Administrative Order No. 80-2003 directing Judge Garcia "to cease and desist from trying cases thereat and devote his time in deciding all cases submitted to him for decision and before his predecessors and resolving all pending motions and incidents before him for resolution and before his predecessors, until his compulsory retirement on 08 December 2003."

On September 10, 2004, on the basis of Judge's Garcia's compliance dated October 10, 2003, the OCA submitted the following report:

"A close reading of the compliance of Judge Garcia disclosed that as he correctly observed, at least six (6) cases were typewritten twice. Four of these cases (Civil Cases Nos. TG-1122, TG-2247, TG-2148 and TG-1461) were included in the list of cases submitted for decision while the other two (2) civil cases (Civil Cases Nos. TG-1966 and TG-2177) were included in the list of cases with motion for resolution; thus reducing the number of cases submitted for decision from ninety-one (91) to eighty-seven (87) and the number of cases with pending motions for resolution from thirteen (13) to eleven (11). Of these eighty-seven (87) cases, sixty-two (62) cases (9 criminal and 53 civil cases) were submitted for decision before Judge Garcia, forty-three (43) of which were still within the reglementary period and only nineteen (19) cases were beyond the 90-day period to resolve. Thus, a total of forty-eight (48) cases submitted for decision were already beyond

the reglementary period, nineteen (19) of which were submitted before Judge Garcia and twenty-five (25) inherited cases.

From the copy of the resolutions submitted by Judge Garcia, revealed that he has indeed resolved all pending motions. Likewise, he decided fifty-two (52) cases out of sixty-two (62) cases submitted to him for decision, leaving unresolved only ten (10) cases submitted to him for decision. These are Civil Cases Nos. Sp. Proc. TG-1938, TG-808, TG-617, TG-2199, TG-2293, TG-2128 and Criminal Case No. TG-3109-99.

Reviewing the monthly report of cases submitted to the Statistical Reports Division, this Office, for the month of September 2003 and December 2003, disclosed that Judge Garcia failed to resolve the aforesaid ten (10) cases submitted to him for decision and the seven (7) cases submitted for decision before his predecessors despite the previous directives to him incorporated in Administrative Order No. 80-2003, dated 6 June 2003 and in the memorandum dated 17 September 2003. Aside from the cases actually examined by the Team found to be submitted for decision before Judge Garcia's predecessors, there are still seven (7) cases submitted for decision before Judge Teodoro Bonifacio (ret.) and the late Judge Julieta Tabiolo. These cases are: TG-341, TG-342, TG-343, TG-518, TG-1056, TG-1070 and TG-1215."

In sum, it appears that when Judge Garcia retired on December 18, 2003, he left unresolved ten (10) cases submitted to him for decision and a total of fourteen (14) cases he inherited from his predecessors.

The OCA recommended that Judge Garcia be imposed a fine of P11,000.00, to be deducted from his retirement benefits.

We have held that the noble office of a judge is to render justice, not only impartially but expeditiously as well, for delay in the disposition of cases erodes the faith and confidence of our people in the judiciary, lowers its standards and brings it into disrepute. Thus, Canon 3, Rule 3.05 of the Code of Judicial Conduct requires judges to dispose of the court's business promptly and decide cases within the period specified in Section 15, Article VIII of the Constitution, that is, three months from the filing of the last pleading, brief or memorandum.[1] Their failure to do so constitutes gross inefficiency and warrants the imposition of administrative sanctions against them.[2]

To ensure that the mandates on the prompt disposition of judicial business are complied with, this Court issued Administrative Circular No. 1 dated January 28, 1988 requiring all magistrates to act promptly on all motions and interlocutory matters pending before their courts. This was emphasized in Administrative Circular No. 3-99 dated January 15, 1999 which requires judges to scrupulously observe the periods prescribed by Section 15, Article VIII of the Constitution in the adjudication and resolution of all cases or matters submitted to their courts.

Delay results in undermining the people's faith in the judiciary from whom the prompt hearing of their supplications is anticipated and expected, and reinforces in the mind of the litigants the impression that the wheels of justice grind so slowly. We cannot countenance such undue delay by judges, especially at a time when clogging of court dockets is still the bane of the judiciary, whose present leadership has launched an all out program to minimize, if not totally eradicate, docket congestion and undue delay in the disposition of cases.[3]

Under Section 9, Rule 140 of the Revised Rules of Court,[4] a magistrate's delay in rendering a decision or order constitutes less serious offense, thus:

"Sec. 9. Less Serious Charges. – Less serious charges include:

- Undue delay in rendering a decision or order, or in transmitting the records of a case;

x x x

- Violation of Supreme Court rules, directives and circulars;

x x x"

Section 11(B) of the same Rule provides the following sanctions for less serious offenses:

"Sec. 11. Sanctions.

B. If the respondent is guilty of a less serious charge, any of the following sanctions shall be imposed:

- Suspension from office without salary and other benefits for not less than one (1) month nor more than three (3) months; or
- A fine of more than P10,000.00 but not exceeding P20,000.00."

In A.M. No. 00-4-09-SC (Re: Report of Deputy Court Administrator Bernardo T. Ponferrada, Re: Judicial Audit Conducted in the RTC, Branch 26, Argao, Cebu), Judge Epifanio C. Llanos failed to render decisions in thirteen (13) civil cases and to resolve motions in three (3) other civil cases within the prescribed period. He was fined in the amount of P11,000.00.

WHEREFORE, retired Judge Alfonso S. Garcia is hereby found guilty of delay in rendering decisions and is fined in the amount of P11,000.00, to be deducted from his retirement benefits.

SO ORDERED.

Panganiban, (Chairman), Corona, Carpio-Morales, and Garcia, JJ., concur.

[1] Dr. Conrado Montemayor vs. Judge Juan O. Bermejo, Jr., etc., A.M. No. MTJ-04-1535, March 12, 2004, 425 SCRA 403; Office of Court Administrator vs. Judge Franklin A. Villegas, A.M. No. RTJ-00-1526, June 3, 2004, 430 SCRA 422.

[2] Echaves vs. Fernandez, February 19, 2002, 377 SCRA 277;.

[3] Leonor Reyes-Garnsen vs. Judge Silvestre H. Bello, Jr., A.M. No. RTJ-04-1877, December 21, 2004.

[4] As amended by SC Adm. Memo. 01-8-10, September 11, 2001.

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.