

RE: REPORT ON THE JUDICIAL AUDIT AND PHYSICAL INVENTORY OF CASES IN MCTC SARA-AJUY-LEMERY, ILOILO

A.M. NO. 05-10-299-MCTC. December 14, 2005

Ponente: TINGA, J.

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TINGA, J.:

For consideration is the Report[1] dated 10 October 2005 of the Office of the Court Administrator (OCA) and its recommendation on the result of the Judicial Audit and Physical Inventory of cases in the Municipal Circuit Trial Court (MCTC) of Sara-Ajuy-Lemery, Iloilo.

In consonance with the audit conducted in said court, a Memorandum[2] dated 26 April 2005 was issued directing Presiding Judge Mateo B. Baldoza, Jr. (Judge Baldoza) to explain to the Court why some cases in his sala had not been acted upon for a considerable length of time,[3] others with pending motions had not been resolved within the reglementary period[4] while still others had not been decided within the 90-day mandatory period to decide.[5] He was also ordered to decide, resolve or take the appropriate action on the aforesaid cases and to submit copies thereof to the Court.[6] Moreover, Judge Baldoza was enjoined to strictly adhere to the Court's policy on avoiding postponements and needless delays pursuant to Administrative Circular No. 3-99.[7] Finally, he was reminded to closely supervise and not just leave the preparation of the court calendar to the clerk of court so each case in the calendar is assured of a hearing on the scheduled date of trial.[8]

Clerk of Court Cecilia A. Billones (CoC Billones) was likewise directed among others, to explain why certain cases had not been acted upon since the time of their filing, to update the entries in the Docket books and to strictly comply with Administrative Circular No. 4-2004 (Revised Form, Rules, Guidelines and Instructions in Accomplishing the Monthly Report of Cases).[9]

In compliance with the directive, Judge Baldoza submitted his explanation[10] attributing his failure to decide and resolve cases on time to the court's heavy caseload and his additional assignment in other courts. He likewise claims that his court is undermanned with the frequent absences of the court personnel. He also blames his staff's inefficiency and lack of initiative. He alleges that they are lackadaisical in their attitude towards work and some of them had been caught loafing during office hours, which practice continues despite his admonishments. He further asserts that the typewriters and computer in his sala are defective and they had only been recently provided with a new computer. In sum, Judge Baldoza postulates that there are many and varied reasons for the inaction in the subject cases but these are attributable not to him but to some, if not most, Court personnel.[11]

CoC Billones, on the other hand explains that she failed to initially act on cases filed with the court because she was confined in the hospital last May 2005. Like Judge Baldoza, she also claims that the defective typewriters and computer system has hampered the court's daily activities.[12]

After considering the memorandum submitted by the Judicial Audit Team and the explanations propounded by Judge Baldoza and CoC Billones relative to the former's findings, we agree with the conclusions of the OCA.

In its report, the OCA has found Judge Baldoza's explanations insufficient to excuse him from any administrative liability for the delay in the disposition and resolution of cases pending before his sala. According to the OCA, Judge Baldoza cannot simply rely on his clerk of court and the personnel for the court's activities and then take refuge behind their inefficiency in record and case mismanagement.[13] He should know what cases are submitted to him for decision or resolution and he is expected to keep his own record of cases so he may act on them promptly,[14] the OCA adds.

Anent the alleged problems with his staff, the OCA notes that Judge Baldoza should have taken steps to correct said practices. He should not have tolerated his personnel's ineptitude to the detriment of public service. The OCA adds that heavy caseloads and additional designation to hear and try cases in other courts merely mitigate Judge Baldoza's liability. These are inadequate reasons to exonerate him for the delay in deciding cases. Lack of computer facilities and defective typewriters are likewise not sufficient reasons for not deciding cases on time. They merely ease the court's workload but their lack should not be used to justify delay.[15]

The OCA considers Judge Baldoza's failure to decide, resolve and act on cases with dispatch as constitutive of gross inefficiency which warrants the imposition of administrative sanctions. Adm. Matter No. 01-8-10-SC provides for a penalty of suspension from office without salary and other benefits for not less than one but not more than three months or a fine of more than P10,000.00 but not exceeding P20,000.00 for the failure of a judge to decide and resolve cases on time. In view of the fact, however, that Judge Baldoza was set to retire from the service on 27 October 2005, the OCA concludes that the penalty of suspension without salary and other benefits can no longer be imposed on him. Moreover, the OCA notes that Judge Baldoza had already decided all the cases subject of the audit. It therefore recommends that a fine of P11,000.00 be imposed on him which amount should be deducted from his retirement pay.[16]

As for CoC Billones, the OCA has found her to have been negligent in the discharge of her duties and functions. The OCA observes that she failed to initially act on the cases raffled to the court, supervise her subordinates in their work, periodically monitor the cases promptly and conduct semestral docket inventories. Her health condition, according to the OCA, should not hinder her from performing her job efficiently. She cannot be permitted to slacken on her job under one pretext or another, particularly as she plays a key role in the complement of the court. The OCA thus recommends that CoC Billones be reminded to be more prudent in the discharge of her functions and warned that a repetition of the same in the future will be dealt with severely.[17]

The above conclusions and recommendations find support in Canon 3, Rules 3.08 to 3.10 of the Code of Judicial Conduct, which provide:

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.

Rule 3.10.—A judge should take or initiate appropriate disciplinary measures against lawyers or court personnel for unprofessional conduct of which the judge may become aware.

Judge Baldoza's contention that the Court personnel are to blame for the resultant delay in the disposition of cases before his sala holds no water in view of the foregoing rules. In legal contemplation, the judge presiding over a branch of a court is the head of that branch.[18] As head of the MCTC therefore, it is precisely Judge Baldoza's responsibility to organize the personnel and supervise the work to ensure that the cases are resolved on time.

CoC Billones should assist Judge Baldoza in such undertaking because the Clerk of Court is charged not only with the efficient recording, filing and management of court records but also with administrative supervision over court personnel. She is an essential officer in any judicial system. Her office is the nucleus of activities, adjudicative and administrative. As such she must be reminded that her administrative functions are just as vital to the prompt and proper administration of justice.[19]

The other reasons propounded by both Judge Baldoza and CoC Billones are, as expounded on by the OCA, not sufficient to exonerate them from responsibility.

The peoples' right to a speedy disposition of cases is a right enshrined in the Constitution.[20] As we have already stated:

This Court has constantly impressed upon judges—may it not be said without success—the need to decide cases promptly and expeditiously for it cannot be gainsaid that justice delayed is justice denied. Delay in the disposition of cases undermines the people's faith and confidence in the judiciary. Hence, judges are enjoined to decide cases with dispatch. Their failure to do so constitutes gross inefficiency and warrants the imposition of administrative sanction on them.[21]

WHEREFORE, finding the recommendations of the OCA to be in accord with the law and the facts of the case on record, the same are APPROVED. Judge Mateo B. Baldoza, Jr. Presiding Judge, Municipal Circuit Trial Court, Sara-Ajuy-Lemery, Iloilo is FINED in the amount of ELEVEN THOUSAND PESOS (P11,000.00) for his failure to decide and resolve cases within the ninety (90)-day reglementary period which amount shall be deducted from his retirement benefits. Cecilia A. Billones, Clerk of Court, Municipal Circuit Trial Court, Sara-Ajuy-Lemery, Iloilo is ADMONISHED to be more prudent in the discharge of her functions and duties and WARNED that a repetition of the same will be dealt with severely by the Court.

SO ORDERED.

Puno, (Chairman), Austria-Martinez, Callejo, Sr., and Chico-Nazario, JJ., concur.

[1] Rollo, pp. 1-6.

[2] Id. at 14-16.

[3] Criminal Cases Nos. 7840-S, 7918-S, 7102-S, 7103-S, 7444-A, 7659-A, 7660-A, 7670-L, 7921-A (7841-A), 7719-A, 7398-A, 7893-A, 7820-A, 7904-S, 7844-L, 7720-L, 7870-S, 7854-S, 7796-S, 7750-L, 7799-A, 7896-A, 6031-S and 7789-A. Civil Cases Nos. 600-A, 590-A and 568-A.

[4] Criminal Cases Nos. 7903-S, 7865-A, 7880-A and 7868-L. Judge Baldoza was also required to inform the Court whether the pending motions/incidents in Criminal Cases Nos. 3916-A and 7930-L which are still within the period to resolve at the time of audit have already been resolved and to submit copies of the orders thereon.

[5] Civil Cases Nos. 574-A, 549-A, 550-A, 594-A, 605-A, 547-A, 572-A and 552-A. As for Criminal Cases Nos. 4979-L and 4050-A which had been submitted for decision still within the reglementary period to decide at the time of audit, Judge Baldoza was directed to inform the Court whether they had already been decided and to submit copies of the decision thereon.

[6] Judge Baldoza was likewise ordered to inform the Court whether the bonds forfeited in favor of the government in Criminal Cases Nos. 7408-A, 7440-A, 7441-A, 5098-S, 7120-A and 6031-S had already been executed.

[7] Dated 15 January 1999.

[8] Rollo, p. 16.

[9]Id. at 17; Memorandum dated 26 April 2005.

[10] Rollo, pp. 18-19; Dated 24 August 2005.

[11] Ibid.

[12] Id. at 87-88.

[13]Aguilar v. How, 407 SCRA 482 (2003).

[14]Office of the Court Administrator v. Quilala, 351 SCRA 597 (2001).

[15]Rollo, pp. 4-5.

[16]Id. at 5.

[17]Id. at 5-6.

[18] In Re: Report on the Judicial and Financial Audit in the Municipal Trial Court in Cities, A.M. No. 02-9-233-MTCC, 27 April 2005 citing Re: Report on the Judicial and Financial Audit of RTC-Br. 4, Panabo, Davao del Norte, 351 Phil. 1, 13 March 1998.

[19] Ibid.

[20]Art. III, Sec. 16. All persons shall have the right to a speedy disposition of their cases before all judicial, quasi-judicial, or administrative bodies.

[21] Office of the Court Administrator v. Butalid, A.M. No. RTJ-96-1337, 5 August 1998, 293 SCRA 589 citing Report on the Judicial Audit Conducted in the RTC, Branch 16 of Laoag City, Presided by Judge Luis B. Bello, Jr., 247 SCRA 519 (1995) and Report on Audit and Physical Inventory of the Records of Cases in the Municipal Trial Court of Penaranda, Nueva Ecija, A.M. No. 95-6-55-MTC, 28 July 1997.

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