

REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE MUNICIPAL CIRCUIT TRIAL COURT, DINGLE-DUENAS, IN THE PROVINCE OF ILOILO. JUDGES INOCENTES D. DEOCAMPO, PRESIDING JUDGE, MUNICIPAL C...

A.M. No. 97-9-97-MCTC. October 16, 1997

Ponente: PUNO, J.

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PUNO, J.:

This treats of the Report dated August 15, 1997 submitted by Court Administrator Alfredo Benipayo on the judicial audit of the Municipal Circuit Trial Court (MCTC), Dingle-Duenas, Iloilo. The audit and physical inventory of cases was conducted from July 22, 1997 to July 28, 1997 after the compulsory retirement on June 11, 1997 of Hon. Inocentes D. Deocampo, Presiding Judge, MCTC, Dingle-Duenas, Iloilo.

The judicial audit team[1] found that as of July 23, 1997, the said court had a total of seventy (70) pending cases of which forty (40) were criminal and thirty (30) were civil. The "Monthly Report of Cases for June 1997" of the court stated that there were fifty (50) pending cases with twenty-eight (28) criminal and twenty-two (22) civil cases. Since no new cases were filed for the month of July 1997, the actual caseload was twenty (20) cases more than what was reported.

Of the seventy (70) cases pending, twenty-nine (29) were submitted for decision by Judge Deocampo. The cases and their dates of submission are as follows:

"Case No.

Title

Procedure

Date Submitted
for Decision

Regular

Summary

1.

C-1279 PP v Sombrea

x

02-21-97

2.

C-1128 -Lapastora

x

11-08-91

3.

C-1078 -Providindo

x

09-03-91

4.

C-1093 -Dacudao, et al.

x

11-08-91

5.

899 -Perez

x

01-24-90

6.

C-958 -Perez

x

12-19-89

7.

C-1392 -Dasmariñas, et al.

x

5-11-95

8.

C-1098 -Dagoco

x

10-19-95

9.

1517 -Balayon

x

12-17-96

10.

C-1298 -Labis

x

12-08-93

11.

C-293 -Cabati-a

x

8-10-89

12.

C-1652 -Sarmiento, et al.

x

11-22-95

13.

C-1097 -Lorca

x

07-18-90

14.

C-1720 -Aguilar, Sr.

x

03-06-97

15.

C-1792 -Porras

x

03-97 16

16.

C-1703 -Lau-a

x

05-19-97

17.

C-1274 -Belleza

x

02-16-96

18.

C-1197 -Daborbor

x

06-17-92

19.

C-1837 -Miaros

x

20.

C-97 -Sps. Capistrano v. Lames, et al.

x

07-23-90

21.

C-141 -Gemarino, etc. v. Data

x

02-28-91

22.

C-169 -Sugnob, et al. vs. Locsin

x

01-17-94

23.

C-166 -Arroyo, et al. v. Ladoing, et al.

x

05-16-95

24.

C-172 -Sps. Darroca, et al. v. Donasco et al.

x

03-28-94

25.

C-19 -Inherited case

x

09-12-85

26.

C-146 -Comm. Rural Bank of Dingle v. Sps. Salcedo

x

11-27-90

27.

C-107 -Daria v. Sps. Caluya, et al.

x

12-19-91

28.

C-86 -Lazaro v. Guanga, et al.

x

05-27-92

29.

C-219 -Sps. Dumalang v. Lamzon

x

02-27-96"[3]

Two (2) cases not yet submitted for decision were found to have motions or incidents pending resolution since 1990.[4] It was also found that ten (10) civil cases did not proceed for a considerable period of time. These cases are:

"Case No.

Title

Latest Court Action/Incident

1.

C-142 (Di) Tajanlangit, Jr. v. Roces Defendant's Answer filed on 2-27-89

2.

C-143 (Di) Sps. de Leon v. Puig, et al Hearing set on 7-31-91

3.

C-158 (Di) Lapating v. Jardeleza Hearing set 8-28-91

4.

C-164 (Di) Roces, et al. v. Deatras Order dated 10-16-91 denying Motion for Reconsideration on Writ of Preliminary Injunction issued on 8-30-91

5.

C-216 Alonday v. Sps. Tajanlangit Order dated 3-12-96: Motion to Admit Answer denied

6.

C-218 Cepe v. Daguro Order dated 5-15-97: Reset hearing to 6-17-97

7.

C-226 Labucuas v. Labucuas Hearing on 5-19-97

8.

C-228 Dacudao, et al. v. Cepe Initial set on 5-19-97

9.

C-231 Sps. Solinap, et al. v. Tolentino Plaintiff's position paper received on 7-4-97[5]

10.

Cad. Case 63 Director of Lands v. Tatunao Hearing on 4-24-97"[6]

Judge Deocampo disclosed, on inquiry, that his failure to decide the cases on time was due to his heart ailment and recuperation from a recent bypass operation.[7]

We have held that a three-year delay in the promulgation of a decision from the time of submission of a case is inexcusably long[8] and the judge could not excuse himself on the ground that his age affected his efficiency.[9] The Constitution mandates a judge to render a decision not more than ninety (90) days from the time the case is submitted for decision.[10] With respect to cases falling under the Revised Rule on Summary Procedure, which Rule was enacted to achieve an expeditious and inexpensive determination of cases, first level courts are given a shorter period of thirty (30) days to decide such cases.[11] The failure to decide within the required period subjects a judge to administrative sanctions.[12]

In the instant case, Judge Deocampo failed to decide within the required period twenty-eight (28)[13] cases submitted to him for decision. Two (2) of these cases were submitted as early as 1989 -- almost eight (8) years before his retirement. And all cases, except for four (4), were conducted under summary procedure.

Judge Deocampo's gross inefficiency in the disposition of cases is aggravated by his blatant inaction on pending incidents and motions in cases not submitted for decision. As found in the Audit Report, one (1) case had no further proceedings since February 1989 and three cases since 1991.

Rule 3.05 of Canon 3 of the Code of Judicial Conduct directs the Judge to dispose of the court's business promptly and expeditiously. This Court has consistently impressed this directive upon judges.[14] A delay in the disposition of cases amounts to a denial of justice, brings the court into disrepute and ultimately erodes public faith and confidence in the judiciary.

IN VIEW WHEREOF, Judge Inocentes D. Deocampo, former Presiding Judge, Municipal Circuit Trial Court, Dingle-Duenas, Iloilo is found grossly inefficient in the discharge of his duties and is fined ten thousand pesos (P10,000.00) which amount shall be deducted from his retirement benefits.

SO ORDERED.

Regalado, Davide, Jr., Romero, Bellosillo, Melo, Vitug, Kapunan, Mendoza, Francisco, Hermosisima, Jr., Panganiban, and Torres, Jr., JJ., concur.

Narvasa, C.J., on leave.

[1] The team was headed by Atty. Ma. Rosario A. Labuguen.

[2] This was submitted for decision two days after the retirement of Judge Deocampo, hence, should not have been counted.

[3] Report of the Judicial Audit Team, p. 2.

[4] Motions to Declare Defendant in Default dated November 27, 1990 in Cases Nos. C-89 and C-115.

[5] The position paper was received after the retirement of Judge Deocampo, hence, should not have been counted.

[6] Report of the Judicial Audit Team, p. 3.

[7] *Id.*, p. 4.

[8] Judge Luis B. Bello, Jr., 247 SCRA 519, 525 [1995]; Adriano v. Domingo, 202 SCRA 446, 448 [1991].

[9] *Id.*

[10] Constitution, Article VIII, Sec. 15 (1).

[11] Rule on Summary Procedure, Sec. 17; Raboca v. Pantanosas, Jr., 245 SCRA 293, 295 [1995]; Cruz v. Pascual, 244 SCRA 111, 114 [1995].

[12] Re: Report on the Judicial Audit Conducted in the Regional Trial Court Branches 61, 134 and 147, Makati, Metro Manila, 248 SCRA 5, 22 [1995]; Re: Judge Liberato C. Cortes, 242 SCRA 167, 169-170 [1995].

[13] See Footnote No. 2.

[14] Re: Judge Luis B. Bello, Jr. *supra*, at 524.

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