

OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS. JUDGE FELIX G. GAUDIEL, JR., RESPONDENT.

A.M. NO. RTJ-04-1825. January 27, 2006

Ponente: QUISUMBING, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/b07dcb6c3f59/>

QUISUMBING, J.:

This administrative matter arose from a judicial audit conducted in connection with the compulsory retirement of respondent Judge Felix G. Gaudiel, Jr., as the presiding judge of the Regional Trial Court, Branch 64, Guihulngan, Negros Oriental.

The audit team reported that as of audit date, October 14, 2002, Branch 64 had only 23 [1] cases submitted for decision, seventeen (17) [2] of which were left undecided, in contravention of the 90-day period for deciding cases. The audit also revealed that Judge Gaudiel, Jr., failed to resolve within the prescribed period the pending incidents in 23 [3] cases, and allowed 97 [4] cases to become dormant for a considerable length of time as a result of his inaction.

In addition, it appears that respondent had been ordered by this Court in a Resolution dated July 31, 2002, to evaluate OCA IPI-02-1364 and to submit his report and recommendation thereon within sixty (60) days from notice. Respondent had received the Resolution and the records of the case on September 2, 2002, but as of October 14, 2002, he had not yet taken any action on said case. [5]

The audit team also found that respondent wrote Court Administrator Presbitero J. Velasco, Jr. on September 11, 2002, to manifest that he would not be holding sessions for two months beginning September 16, 2002, until November 16, 2002, to devote his time to deciding cases already submitted for decision. However, he was unable to decide any of those cases because he went on sick leave from September 30, 2002, up to the time of the audit on October 14, 2002. [6]

On November 5, 2002, Deputy Court Administrator Zenaida N. Elepaño sent respondent a Memorandum [7] apprising him of the audit team's findings and ordering him:

- to EXPLAIN within fifteen (15) days from notice [his] failure (a) to decide the cases, which have been awaiting decision for more than ninety (90) days, within the reglementary period; (b) to resolve the pending incidents for resolution in the cases above-mentioned within the reglementary period; and, (c) to take further action on the dormant cases despite the lapse of a considerable length of time;
- to DECIDE all cases submitted for decision and to RESOLVE all pending incidents for resolution in the cases above-mentioned before [he] compulsorily retire[s] on December 4, 2002, and to SUBMIT to the Office of the Court Administrator, through the Court Management Office, certified true copies of said decisions and resolutions on or before December 4, 2002;
- to TAKE APPROPRIATE ACTION on those cases which have remained dormant for a considerable length of time before [he] compulsorily retire[s] on December 4, 2002, and to REPORT thereon to the Office of the Court Administrator, through the Court Management Office, on or before December 4, 2002;

- to SUBMIT [his] report and recommendation in OCA IPI-02-1364 before [he] compulsorily retire[s] on December 4, 2002; and,
- to EXPLAIN within fifteen (15) days from notice [his] failure to report for work from September 30, 2002 up to the third week of October 2002. [8]

Respondent received a copy of the Memorandum through his Clerk of Court on December 2, 2002, but failed to act thereon. Thus, on December 4, 2002, respondent retired compulsorily without complying with any of the directives.

On August 28, 2003, upon learning that his compliance was necessary for his clearance, respondent sent to the Office of the Court Administrator a letter [9] containing his compliance with the first part of directive No. 1. He explained that his failure to decide his cases on time was due to his failing health that compelled him to rest two months before his retirement. He stated that this Court refused to grant his letter-request [10] dated November 8, 2002, for extension of his judicial service until May 2, 2003.

DCA Elepaño found respondent's compliance insufficient and sent him a reply letter [11] on September 17, 2003, advising him to comply with directives Nos. 1 and 5.

On October 13, 2003, respondent submitted his letter-compliance [12] as required. He no longer cited his failing health. Instead, he claimed that he was able to decide only 5 [13] cases and resolve only 2 [14] pending incidents when he returned to work in November 2002, primarily because this Court refused to grant his request for extension of judicial service. He added as reasons, the inadequate library in his court, his heavy caseload of 400 cases, and the unavailability of lawyers in Guihulngan. [15]

He asserted that he could not decide any of the 5 [16] criminal cases that were reported to have remained undecided beyond the 90-day period because aside from the abovesited reasons, the stenographic notes from Branch 45 in Bais City, which originally heard those cases, never arrived. Respondent also pointed out that the audit team erroneously reported 2 cases [17] as already submitted for decision, and attached copies of the pertinent orders to show that said cases were still undergoing trial. [18]

Respondent did not explain why he failed to act on the 97 dormant cases for a considerable length of time. Neither did he explain his absence from September 30, 2002, up to the third week of October 2002. He merely attached copies of his applications for sick leave and his Certificates of Service for September 2002 and October 2002, without specifying what illness he was suffering from. [19]

As regards OCA IPI-02-1364, respondent explained that he had already asked Court Administrator Presbitero J. Velasco, Jr. on November 8, 2002, to allow him to inhibit himself from hearing the case because one of the parties was his friend. [20]

On January 28, 2004, the Court resolved to re-docket the case as an administrative complaint against respondent and required him to file his comment. [21]

On March 24, 2004, respondent adopted the explanations contained in his letter-compliance of October 13, 2003. [22] Thereafter, this Court referred the case to the OCA for evaluation, report and recommendation.

On August 23, 2004, the OCA found respondent guilty of gross inefficiency, and recommended that P20,000 be deducted from the proceeds of his retirement benefits as fine. [23]

We agree with the evaluation and recommendation.

We have always emphasized the imperative for judges to decide cases promptly and expeditiously within the

constitutionally prescribed 90-day period. Failure to do so constitutes gross inefficiency, which consequently warrants administrative sanctions. [24]

The records in this case show that as of audit date, respondent had failed to decide 16 [25] cases within the prescribed period and to resolve matters pending in 23 others. He had failed to act on 97 cases for an unreasonable length of time, some of them for more than three and a half years. Worse, he neglected to decide within the required period, one case, [26] which was originally reported still to be within the required period as of audit date, and allowed said case to remain undecided up to his retirement.

Respondent can not blame this Court for refusing to extend his judicial service. The compulsory retirement age of members of the bench is prescribed by the Constitution. This matter is determined by the judge's age, beyond this Court's discretion. Also, he and no one else is responsible for the proper discharge of his official functions. Canon 6 of the Canons of Judicial Ethics provides that judges should be prompt in disposing of all matters submitted to them. [27] He can not use this Court's denial of his clearly unreasonable request to excuse himself from liability caused by his own inefficiency.

His failing health, his heavy caseload, and the lack of adequate research materials in his court's library serve only to mitigate the penalty, not exonerate him. Respondent could have written this Court to explain his predicament and to ask for proper extensions of time for decision-making. Had the Court been apprised seasonably of his problems, it could have taken appropriate steps to expedite the resolution of pending matters.

Neither could the non-arrival of the stenographic notes in the five cases that were transferred to his sala from Branch 45 in Bais City excuse respondent from liability for not deciding those cases within the period required by law. It does not appear that he took any step to have those stenographic notes transferred earlier to his sala. At the very least, he should have requested from this Court for an extension of time within which to render judgment. He can not by himself prolong the period for deciding cases beyond that authorized by law. [28]

As to the unavailability of lawyers in Guihulngan, we could not see how it could have any bearing on respondent's ability to decide the cases. The duty to decide cases rests not with the lawyers, but with respondent.

By his failures, respondent violated Rule 3.05, Canon 3 of the Code of Judicial Conduct which mandates that a judge should dispose of the court's business promptly and decide cases within the required periods. They equally demonstrate his lack of dedication to his work. Respondent should be reminded that his assumption of judicial office casts upon him duties and restrictions peculiar to his position. The court exists to promote justice and to attain this, a judge should organize his court with a view of prompt and convenient dispatch of business, be punctual in the performance of his duties, exhibit an industry and application commensurate with the duties imposed upon him and be prompt in disposing all matters submitted to him. [29] Delay in the disposition of cases undermines the people's faith and confidence in the judiciary. [30]

Under Section 11 (B), Rule 140 of the Rules of Court, undue delay in the rendition of judgments, classified as a less serious offense, is punishable by suspension from office without salary and other benefits for not less than one month but not more than three months, or a fine of more than P10,000 but not exceeding P20,000. [31]

Given the number of cases and matters respondent failed to decide and resolve, as well as his unexplained failure to further act on a number of cases despite the lapse of a considerable length of time, but taking into account cited mitigating circumstances, we find that the penalty of P20,000 is appropriate. [32]

WHEREFORE, we find retired JUDGE FELIX G. GAUDIEL, JR., LIABLE for gross inefficiency for undue delay in rendering judgments while he was the Presiding Judge of Branch 64 of the Regional Trial Court of Guihulngan, Negros Oriental. He is ORDERED to pay a FINE of Twenty Thousand Pesos (P20,000.00), to be

deducted from his retirement benefits.

SO ORDERED.

Carpio, Carpio-Morales, and Tinga, JJ., concur.

[1] Rollo, pp. 1-2. Civil Cases Nos. 97-013-L, 9367, SCA 02-01-G, SP 03-03-V, 02-07-G, 01-04-G, 5289, 5885, SCA 00-005-V, 00-015-G, 00-003-G, SP 144, CAR 784, CAD 01-01-G, 01-05-G, SP 02-02-G, and 03-00-V, and Criminal Cases Nos. 97-233-C, 95-014-C, 96-127-C, 00-045-G, 93-929-C, and 1059-C.

[2] Id. at 2. Civil Cases Nos. 01-04-G, 5289, 5885, SCA 00-005-V, 00-015-G, 00-003-G, SP 144, CAR 784, CAD 01-01-G, 01-05-G, SP 02-02-G and 03-00-V and Criminal Cases Nos. 95-014-C, 96-127-C, 00-045-G, 93-929-C and 1059-C.

[3] Id. at 2-3. Civil Cases Nos. 97-039, CAD 41-G, 01-06-V, 02-001-G, 159-G, 99-007-G and SP 01-006-C, CAD 01-07-V, 06-00-V, 99-009-G and 99-014-C and Criminal Cases Nos. FC 01-002-V, 96-060-G/96-061-G, 01-079, 01-080-C, 01-076-C, 00-074-L, 01-083-C, 97-017-4, 02-027-V, 00-073-G and FC-02-04-V.

[4] Id. at 3-6. Civil Cases Nos. LRC No. 1, SP 01-003-G, SP 99-01, SP 00-06-G, SP 98-001-C, 01-008-C, 02-01-V, 00-010-L, 00-006-C, 97-11-G, 97-052-C, 97-015-C, 96-019-L, 96-021-C, 99-004-G, SP 00-012-L, LRC N-631 (CAD 421-D), 99-010-G, SP 86-G, 00-019-G, 98-009-C, 95-11-G, 00-006-L, 24-98, 00-002-L, 00-014-C, 01-006-G, SP 00-03-V, CAD 97-12-V, SP 99-006-C, 01-001-G, SP 02-02-G, SP 99-011-G, SP 62-G and 836 and Criminal Cases Nos. 02-019-C, 02-032-C, 02-035-C, FC 02-03-L, FC 01-026-C, 01-072-G, 01-090-C, 01-090-G, 6-01-197, 02-015-L, FC 01-027-C/FC 01-028-C, FC 01-023-C, FC 01-024, FC 01-018-L, FC 01-021-V, FC 01-033-C, FC 01-017-C, FC 01-032-G, FC 00-020-G, 01-004-L, 98-063-G, 02-028-L, 02-017-G, 98-080-V, 98-095-G, 00-066-C, 00-067-G, 02-017-G, 02-009-G, 02-010-G, FC 00-32-L, 02-013-G, 01-017-G, 98-077-C, 98-087-C, 98-101-G/98-101-G, 00-072-G, 01-014-G, 98-066-G, FC 00-004-C, FC 00-005-C, FC 00-024-C, 00-065-C, 98-090-L, 00-011-C, 01-013-C, 01-074-L, 01-042/01-043/01-044/01-045/01-046/01-047/01-048/01-049/01-050/01-051/01-052, 98-024-V and 98-068-L.

[5] Id. at 6-7.

[6] Ibid.

[7] Id. at 15-21.

[8] Id. at 21.

[9] Id. at 29.

[10] Id. at 65.

[11] Id. at 35.

[12] Id. at 50-52.

[13] Id. at 53-64, 67-74. Civil Cases Nos. 97-013-L, SCA No. 02-01-G, SP 02-03-V, SCA 00-005-V, and SP 02-02-G.

[14] Id. at 76-78. Civil Cases Nos. CAD 01-07-V and 99-014-G.

[15] Id. at 52.

[16] Id. at 2. Criminal Cases Nos. 95-014-C, 96-127-C, 00-045-G, 93-929-C, and 1059-C.

[17] Id. at 1-2. Criminal Case No. 97-233-C and Civil Case No. CAD-01-01-G.

[18] Id. at 66, 76-77.

[19] Id. at 80-85.

[20] Id. at 79.

[21] Id. at 91.

[22] Id. at 93.

[23] Id. at 119-124.

[24] *Bueno v. Dimangadap*, A.M. No. MTJ-02-1462, 10 August 2004, 436 SCRA 25, 30.

[25] Originally, it was reported that he failed to decide 17 cases within the prescribed time. Later, because of respondent's October 13, 2003, letter-compliance, the OCA discovered that Civil Case No. CAD-01-01-G, which was reported as having remained undecided beyond the 90-day period, was still at the trial stage. The acting presiding judge who reviewed the case after respondent had retired cancelled the order submitting said case for decision and then set the case for reception of the petitioner's evidence.

[26] Civil Case No. 02-07-G.

[27] *Office of the Court Administrator v. Quiñanola*, A.M. No. MTJ-99-1216, 20 October 1999, 317 SCRA 37, 50.

[28] *Petallar v. Pullos*, A.M. No. MTJ-03-1484, 15 January 2004, 419 SCRA 434, 438.

[29] Report on the Judicial Audit Conducted in the Regional Trial Court, Branch 5, Iligan City, A.M. No. 02-10-628-RTC, 1 October 2004, 440 SCRA 1, 12-13.

[30] Report on the Judicial Audit Conducted in the Regional Trial Court, Branch 8, Cebu City, A.M. No. 05-2-101-RTC, 26 April 2005, 457 SCRA 1, 8.

[31] *Sps. Dumaua v. Judge Ramirez*, A.M. No. MTJ-04-1546, 29 July 2005, p. 4.

[32] See Re: Report on the Judicial Audit Conducted in the Regional Trial Court, Branches 3, 5, 7, 60 and 61, Baguio City, A.M. No. 02-9-568-RTC, 11 February 2004, 422 SCRA 408, 422-423.

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.