

NORMA ESGUERRA, COMPLAINANT, VS. JUDGE GUILLERMO L. LOJA, RESPONDENT.

A.M. No. RTJ-00-1523 (Formerly OCA IPI No. 98-540-RTJ). August 15, 2000

Ponente: PURISIMA, J.

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PURISIMA, J.:

This is an administrative case for gross inefficiency, grave abuse of discretion, incompetence and falsification of certificate of service instituted by Norma Esguerra against Judge Guillermo Loja[1] for not deciding a case within the reglementary period.

The antecedent facts that matter are as follows:

Complainant brought a criminal complaint for falsification of public documents, entitled People of the Philippines versus Georly Quilala, Sr. and Leonila Quilala. Docketed as Criminal Case No. 94-139629, the case was assigned to the sala of respondent judge. It was submitted for decision on March 5, 1997, after the prosecution and the defense had rested.

Complainant charged that respondent judge failed to decide the said case within ninety (90) days after it was ready for decision, pursuant to Section 15 (1), Article VIII, 1987 Constitution,[2] despite the filing of a motion for rendition of judgment.[3] Complainant theorized that "there is [a] possibility that respondent judge might have falsified" his certificate of service sent to this Court, to make it appear that he had no case then pending decision, so as to enable him to receive his salary.

On June 18, 1998, the Court Administrator required the respondent judge to comment within ten (10) days from notice.

On July 9, 1998, respondent judge filed his Comment vehemently denying the allegations of the complaint, branding the same as nothing but pure and simple harassment.[4] The aforementioned criminal case was decided in favor of the complainant on March 2, 1998[5] but instead of appreciating the efforts of the respondent judge in deciding her case, she lodged the complaint against him.[6]

The pivotal issue for determination here is whether or not the act of respondent judge in disposing a case would exculpate him from the charge of gross inefficiency, incompetence and falsification of certificate of service.

The Court Administrator noticed that the aforesaid Decision was without any date, so much so that he assumed that the date of promulgation was also the date of the decision. Consequently, he recommended in his report to the Court that the respondent judge be held guilty as charged and fined in the amount of P5,000.00 with a stern warning that a commission of a similar act in the future will be dealt with more severely. Under the heading "OTHER RELEVANT INFORMATION," the Court Administrator adverted that respondent was ADMONISHED in OCA IPI No. 99-1452-RTJ by this Court in the Resolution dated June 16, 1999.

On February 1, 2000, the Court resolved to re-docket the complaint as a regular administrative case and gave the

parties ten (10) days from notice to manifest whether they are willing to submit the case on the basis of the pleadings.

Respondent has not submitted his manifestation but on June 14, 2000 he filed a motion for an early resolution with additional comment and/or opposition to the letter-complaint, contending in essence, that:

- Complainant's allegations are "clearly unfounded, baseless, unsubstantiated and merely speculative," as the criminal case was resolved by respondent and the decision thereon was rendered on March 2, 1998.

- Assuming arguendo that there was a slight delay in the promulgation of the decision, it was by reason of mere inadvertence as respondent had an average court load of 800 active cases, more or less, respondent's sala being one of the five special courts tasked to handle juvenile and domestic relations cases, in addition to civil and criminal cases and special proceedings.

- During his several years of service in the judiciary, he has never been remised in performing his functions and duties, as in fact, he has been among the top three judges in the Manila Regional Trial Court in the disposal of cases from 1996 to 1999, as shown in the statistics prepared by the Office of the Clerk of Court of Manila Regional Trial Court. In 1996, he was No. 2, having disposed of 495 cases; in 1997, he was No. 1 with 589 disposed cases; in 1998, he was again No. 1 with 598 disposed cases; and in 1999, he was No. 2 with 474 disposed cases.

- 4. This is the twilight of his career as a public servant, having served the government for no less than 38 years, 17 years of which in the judiciary. (He will compulsorily retire on June 25, 2001.) Such being the case, he should deserve some kindness and understanding.

A careful consideration of the facts does not establish respondent's guilt of the administrative charges, but only of simple negligence.

First. There is no clear evidence that respondent intentionally falsified his monthly certificate of service simply on the basis that his decision was undated. There could have been a delay in the rendition of the decision, beyond the 90-day period from its submission, as respondent himself candidly concedes. But according to him, this was an isolated case and could be caused by simple inadvertence due to his being burdened with a heavy load of active cases, without the intention of falsifying any record.

Second. Respondent's above-average disposal of cases assigned to his sala, being consistently in the top three in the Manila RTC for the last four successive years would seem to argue against the allegation of incompetence, abuse of authority and falsification against him.

Third. Respondent has been in the government service for 38 years, 17 years of which in the judiciary and will retire in less than a year. He himself seeks kindness and understanding.

Fourth. This is the first administrative case against him (respondent).

WHEREFORE, respondent judge is adjudged GUILTY of simple negligence in the performance of duties and is hereby ordered to pay a FINE of TWO THOUSAND (P2,000.00) PESOS, with a stern warning that a repetition of the same or similar act or omission will be dealt with more severely.

SO ORDERED.

Melo, (Chairman), Vitug, Panganiban, and Gonzaga-Reyes, JJ., concur.

[1] Presiding Judge, Branch 26, Regional Trial Court in Manila.

[2] Complaint p. 1, Rollo, p. 1.

[3] Annex "A", Motion for Decision, Rollo, p. 4.

[4] Rollo, p. 7.

[5] Decision, Rollo, p. 14-21.

[6] Annex "A", Rollo, p. 8.

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