

SECOND DIVISION

[A.M. No. MTJ-16-1869, July 27, 2016]

**MARIE CHRISTINE D. BANCIL, COMPLAINANT, VS. HONORABLE
RONALDO B. REYES, PRESIDING JUDGE OF METROPOLITAN
TRIAL COURT OF SAN JUAN CITY, BRANCH 58, RESPONDENT.**

DECISION

CARPIO, J.:

The Case

Before the Court is an administrative complaint filed by Marie Christine D. Bancil (Bancil) against Judge Ronaldo B. Reyes (Judge Reyes), Presiding Judge of Metropolitan Trial Court of San Juan City, Branch 58, for Gross Inefficiency and Undue Delay in Rendering a Decision/Order.

The Facts

This administrative complaint stems from Criminal Case No. 86928, entitled "*People of the Philippines v. Edward Randolph Krieger*" which was pending before Judge Reyes in Branch 58, Metropolitan Trial Court, San Juan City. Bancil was the private complainant in the said criminal case for violation of Article 97 of Republic Act (RA) No. 7394 or the Consumer Act of the Philippines.

Pursuant to the Resolution dated 22 August 2012^[1] finding probable cause against Edward Randolph Krieger (Krieger), the Information^[2] for violation of Article 97 of the Consumer Act of the Philippines was filed against Krieger.

On 29 August 2012, Krieger filed an Omnibus Motion for (1) judicial determination of probable cause and (2) suspension of proceedings.^[3] On 19 September 2012, Krieger filed a Motion to Defer Proceedings in view of his intention to file a Petition for Review before the Department of Justice.^[4] On 24 September 2012, Bancil filed her Comment on the Omnibus Motion.^[5] Bancil no longer filed an objection to the Motion to Defer Proceedings as she considered the suspension of the arraignment for a period of not exceeding 60 days within the rights of Krieger as accused under Section 11, Rule 116 of the Revised Rules of Criminal Procedure.

On 7 February 2013, or almost five months from the filing of Krieger's Motion to Defer Proceedings, Bancil filed a Motion to Set Case for Trial with Entry of Appearance.^[6] This was not acted upon by Judge Reyes. Given the inaction of Judge Reyes, on 25 October 2013, Bancil filed a motion to set the case for arraignment.^[7]

Despite the two motions filed by Bancil, Judge Reyes failed to act on the case. Even the Omnibus Motion filed by Krieger remained not acted upon by Judge Reyes.

Bancil filed an administrative complaint dated 30 June 2014 against Judge Reyes for Gross Inefficiency and Undue Delay in Rendering a Decision/Order. Bancil argued that Judge Reyes failed to comply with Section 15(1), Article VIII of the Constitution, which provides that all cases or matters filed must be decided or resolved by the lower courts within three months from the date of submission. Moreover, Bancil alleged that Judge Reyes violated Section 6,^[8] Rule 112 of the Revised Rules of Criminal Procedure as Judge Reyes failed to choose among the three options given to a judge upon the filing of an Information - (1) dismiss the case if the evidence on record clearly failed to establish probable cause; (2) if he or she finds probable cause, issue a warrant of arrest; and (3) in case of doubt as to the existence of probable cause, order the prosecutor to present additional evidence within five days from notice, the issue to be resolved by the court within 30 days from the filing of the Information.^[9] Further, Bancil alleged that there was a violation of Canon 6 of the New Code of Judicial Conduct^[10] which provides that judges shall perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly, and with reasonable promptness. Based on the foregoing, Bancil argued that Judge Reyes clearly violated the fundamental law of acting on a case within the mandated period which was evident of his gross ignorance/inefficiency.

On 10 October 2014, Judge Reyes filed his Comment to the administrative complaint, explaining that the delay was due to plain oversight and not through inefficiency.^[11] He attributed the delay to the big number of cases regularly coming in, including small claims cases which are required to be acted upon within 24 hours, and the conduct of Judicial Dispute Resolution, which is mandated in almost all cases.

The Recommendation of the OCA

The Office of the Court Administrator (OCA), upon evaluation of the administrative complaint, found that Judge Reyes indeed failed to act on the motions within the reglementary period provided in the Constitution. The OCA rejected the justifications for delay advanced by Judge Reyes finding that he did not have a voluminous case load which would have truly incapacitated him to resolve the pending incidents within the prescribed period. The OCA held:

Thus, the failure to decide cases and other matters within the reglementary period of ninety (90) days, as fixed by the Constitution and the law, warrants the imposition of administrative sanction against the erring judge.

In view of the foregoing, this Office finds that respondent Judge failed to act on the subject motions within the reglementary period. It bears reiterating that respondent Judge himself admitted such delay. To our mind, the justifications advanced by him, such as the volume of cases pending and the number of cases for JDR, cannot even be considered an excuse to absolve him from administrative liability.^[12]

Even assuming *arguendo* that Judge Reyes had a good reason for not being able to

comply with the three-month period, no request for an extension of time was ever filed by Judge Reyes. Also, the OCA noted that in addition to the delay in resolving the motions, Judge Reyes failed to arraign Krieger after the Information was filed. Under the Speedy Trial Act, the arraignment of the accused should be done within 30 days from the filing of the Information.^[13]

Finding Judge Reyes guilty of undue delay in resolving pending motions, the OCA recommended a fine of Five Thousand Pesos (P5,000) and a warning that a repetition of the same act shall be dealt with more severely.^[14]

The Ruling of the Court

The Court agrees with the findings of the OCA, subject to modification as to the penalty.

The Constitution expressly provides that all lower courts should decide or resolve cases or matters within three months from the date of submission.^[15] Accordingly, Section 5, Canon 6 of the New Code of Judicial Conduct^[16] provides:

Sec. 5. Judges shall perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly, and **with reasonable promptness.**
(Emphasis supplied)

Accordingly, this Court has laid down certain guidelines to ensure the compliance with this mandate. More particularly, Supreme Court Administrative Circular No. 13-87^[17] provides:

3. Judges shall observe scrupulously the periods prescribed by Article VIII, Section 15 of the Constitution for the adjudication and resolution of all cases or matters submitted in their courts.
Thus, all cases or matters must be decided or resolved within twelve months from date of submission by all lower collegiate courts while all other lower courts are given a period of three months to do so;

x x x x (Emphasis supplied)

Supreme Court Administrative Circular No. 1-88^[18] further states:

6.1 All Presiding Judges must endeavor to act promptly on all motions and interlocutory matters pending before their courts.

Time and again, we have stressed the importance of reasonable promptness in relation to the administration of justice as justice delayed is justice denied. Undue delay in the disposition of cases and motions erodes the faith and confidence of the people in the judiciary and unnecessarily blemishes its stature.^[19] This is more so the case with trial judges who serve as the frontline officials of the judiciary