

THIRD DIVISION

[A.M. No. 06-9-525-RTC, June 13, 2012]

**RE: REPORT ON THE JUDICIAL AUDIT CONDUCTED IN THE
REGIONAL TRIAL COURT, BRANCHES 72 AND 22, NARVACAN,
ILOCOS SUR.**

RESOLUTION

PERLAS-BERNABE, J.:

This administrative case arose from the judicial audit and inventory of cases conducted in Branches 72 and 22 of the Regional Trial Court (RTC) of Narvacan, Ilocos Sur, prior to the retirement of Presiding Judge Arturo B. Buenavista (Judge Buenavista) on May 20, 2006.

The Facts

The report^[1] of the judicial audit team of the Office of the Court Administrator (OCA) revealed that as of the last day of the audit on April 5, 2006, Branch 72, the regular court of Judge Buenavista, had a caseload of 333 cases (126 civil cases and 207 criminal cases) while Branch 22, where he acted as pairing judge, had 302 cases (106 civil cases and 196 criminal cases).

The audit team noted that Judge Buenavista had several cases submitted for decision beyond the 90-day reglementary period, with minimal periods of delay in some cases. While he was able to dispose many of the cases submitted for decision in both branches, and even decided six (6) cases^[2] after the conduct of the judicial audit, most of them were resolved beyond the reglementary period. The audit team likewise disclosed that there were cases where no action had been taken since their filing,^[3] and others did not progress for unreasonable periods of time – some as early as 2000 – for various reasons.^[4]

In connection with these findings, Judge Buenavista explained that the death of his wife a year prior to the audit and his slowly failing eyesight, compounded by his designation as pairing judge of Branch 22, contributed to the dismal state of his case docket.

After the inventory and audit, the team concluded that Judge Buenavista failed to assume a more active and steadfast control over the cases which resulted in the unreasonable delay in their disposition and the consequent clogging of the court dockets.

The Action and Recommendation of the OCA

The OCA, in its Memorandum^[5] dated August 10, 2006, recommended that Judge

Buenavista be fined in the amount of P10,000.00 for failing to decide twelve (12) cases and resolve the incidents in seven (7) cases within the reglementary period, and for his failure to effectively manage the court dockets in RTC Branches 72 and 22, Narvacan, Ilocos Sur.

In arriving at its recommendation, the OCA took into account the demise of Judge Buenavista's wife the year preceding the audit; his failing eyesight; the fact that he presided over two (2) RTC branches for almost four (4) years; his diligence in disposing twenty-five (25) cases before he retired; and the information that the periods of delay in deciding cases were minimal, save for a few cases.

On April 29, 2011, Judge Buenavista filed a Manifestation^[6] respectfully submitting the case for resolution on the basis of the pleadings and/or records already on file.

The Issue

The sole issue before the Court is whether Judge Buenavista should be imposed the penalty as recommended by the OCA for his failure to assiduously perform his official duties.

The Court's Ruling

After a careful perusal of the records, the Court agrees with the findings and recommendation of the OCA, and resolves to adopt the same in its entirety.

Judges have the sworn duty to administer justice without undue delay, for justice delayed is justice denied.^[7] They have always been exhorted to observe strict adherence to the rule on speedy disposition of cases,^[8] as delay in case disposition is a major culprit in the erosion of public faith and confidence in the judicial system.

Under the 1987 Constitution, trial judges are mandated to decide and resolve cases within 90 days from submission. Corollary to this constitutional mandate, Section 5, Canon 6 of the New Code of Judicial Conduct for the Philippine Judiciary requires judges to perform all judicial duties efficiently, fairly, and with reasonable promptness.

In *Office of the Court Administrator v. Javellana*,^[9] the Court held that a judge cannot choose his deadline for deciding cases pending before him. Without an extension granted by the Court, the failure to decide even a single case within the required period constitutes gross inefficiency that merits administrative sanction. If a judge is unable to comply with the period for deciding cases or matters, he can, *for good reasons*, ask for an extension.

An inexcusable failure to decide a case within the prescribed 90-day period constitutes gross inefficiency,^[10] warranting the imposition of administrative sanctions such as suspension from office without pay or fine^[11] on the defaulting judge. The fines imposed vary in each case, depending chiefly on the number of cases not decided within the reglementary period and other factors, such as the presence of aggravating or mitigating circumstances, the damage suffered by the parties as a result of the delay, the health and age of the judge, and other analogous circumstances.