

THIRD DIVISION

[A.M. NO. 05-2-113-RTC, December 07, 2005]

RE: JUDICIAL AUDIT CONDUCTED IN THE REGIONAL TRIAL COURT, BRANCH 73, ANTIPOLO CITY

DECISION

PANGANIBAN, J.:

The Constitution mandates trial judges to dispose of the court's business promptly and to decide cases and matters within three (3) months from the filing of the last pleading, brief or memorandum. In the disposition of cases, members of the bench have always been exhorted to observe strict adherence to the foregoing rule to prevent delay, which is a major culprit in the erosion of public faith and confidence in the justice system.

The Case and the Facts

This case stems from a judicial audit conducted in July 2002 by the Court Management Office (CMO) in the Regional Trial Court (RTC), Branch 73, Antipolo City, then presided by Judge Mauricio M. Rivera.^[1] According to a Memorandum^[2] dated February 11, 2005, issued by the Office of the Court Administrator (OCA), the results of the audit and the ensuing facts are as follows:

"At the time the judicial audit was conducted in July 2002, the Regional Trial Court, Branch 73, Antipolo City (Branch 73, for brevity), presided over then by Judge Mauricio M. Rivera, had a total load of nine hundred nine (909) pending cases, two hundred thirty-five (235) of which were already submitted for decision, and two hundred (200) of these cases have been established to be beyond the reglementary period for decision.

"In addition, the judicial audit team established pending incidents in thirty-two (32) cases which remained unresolved, some of them already beyond the reglementary period. Likewise, there were fifty-eight (58) cases which were already dormant as Branch 73 failed to further act thereon despite the lapse of a considerable length of time.

"Having been apprised of the cases submitted for decision at the end of the judicial audit, Judge Rivera promised to decide said cases at the soonest time possible. He likewise promised to submit a periodic report thereon to the x x x (OCA). Thus, from September 2002 to May 2003, Judge Rivera submitted duplicate or certified true copies of the decisions and orders in two hundred seventy-eight (278) cases to OCA, through the x x x (CMO). Two hundred six (206) of these cases were among those established in the course of the judicial audit to have been already submitted for decision. Hence, as of the last submission of the periodic

report of Judge Rivera in May 2003, a total of twenty-nine (29) cases remained undecided.

"In [the OCA] memorandum dated 1 March 2004, [it] directed Judge Rivera to:

"1. EXPLAIN within fifteen (15) days from notice to the Court, through the x x x [OCA his] failure to (i) decide a total of two hundred (200) cases submitted for decision within the reglementary period, (ii) resolve the pending incidents in thirty two (32) cases within the reglementary period, and (iii) take appropriate action on fifty eight (58) cases despite the lapse of a considerable length of time; and

"2. INFORM the Court, through the x x x [OCA], within fifteen (15) days from notice of the status of the following cases, furnishing said Office, duplicate or certified true copies of the decisions, resolutions or orders thereon, if there are any, thus:

x x x

x x x

x x x

"In compliance with the directive, Judge Rivera in his Memorandum x x x dated 22 April 2004 explained that he has already decided the aforementioned cases. Copies of the decisions/orders of dismissal or archiving the cases were furnished to the OCA, as stated in his monthly report of cases. x x x.

"Judge Rivera further explained that his court has a total load of one thousand two hundred ninety-three (1,293) cases as of February 2004 (RTC, Branch 74 has 2,732 pending cases as of December 2003 while RTC, Branch 71 and RTC, Branch 72 ha[ve] 2,293 and 1,592 pending cases, respectively, as of February 2004). Because of the large volume of cases being handled by the four (4) branches of RTC, Antipolo City, Judge Rivera contends that it could not be avoided that there would be delay in the rendition of decision in some cases.

"Moreover, Judge Rivera informs the Court that there are only four stenographers serving RTC, Antipolo City and one even went on maternity leave twice. In view of this, he stated that the stenographers could not immediately submit to the court their transcript of stenographic notes (TSNs), thus, accumulating the backlog of cases for transcriptions.

"Judge Rivera further informs the Court that daily hearings are conducted in the morning and at times also in the afternoon, rendering it impossible for him to decide cases within the 90-day period required by law. Despite the aforesaid situation in his court, Judge Rivera averred that he did his best by resolving the 206 cases reported by the audit team as requiring immediate action plus more other cases. He therefore prays that the Honorable Court will find his explanations and compliance satisfactory.

"With respect to the status of the cases which were tabulated in the memorandum, Judge Rivera reported that these had already been acted upon. He further reported that 17 of the cases included in the

memorandum were not assigned to his court but to Branch 72. One was re-raffled to Branch 71 and another one to Branch 74. He alleged that the mix-up in the report of cases was probably due to the fact that a partial audit was likewise conducted at Branch 72. He attached to his compliance a report on the status of the cases reported, thus:

x x x

x x x

x x x

"On 4 September 2002, Judge Rivera submitted to this Office, through Judicial Supervisor Rullynn S. Garcia, a partial report on the cases decided since the audit conducted in July 2002. He reported that as of 30 August 2002, there were 48 cases decided x x x. He attached to his letter the list of cases decided.

"Judge Rivera reported that he was able to decide cases because he suspended the hearing sessions from 17 July 2002 to 30 August 2002, to give the stenographers time to transcribe their backlog of stenographic notes; giving them a quota of at least thirty-five (35) cases a day. He requested for an additional period of up to the end of December 2002 to update all pending cases.

"On 4 October 2002, Judge Rivera again submitted a partial report on the cases he has decided. He reported that as of 30 September 2002, there were 29 additional cases decided. x x x.

"On 3 April 2003, Judge Rivera submitted copies of decisions he rendered from the period of 1 February to 28 March 2003. Per tabulation submitted, there were fifteen criminal, twenty-four civil and fifteen land registration cases decided.

"On 16 May 2003, Judge Rivera submitted another list of cases decided. Of the twenty-two cases reported, three were criminal, fifteen civil and four land registration cases. He averred that he has already complied with his commitment to finish all pending cases by the end of April 2003, including the three criminal cases and six civil cases which were still pending as of April 2003."^[3]

Findings and Recommendation of the OCA

The evaluation of the OCA showed that Judge Rivera had incurred unreasonable delay in disposing of judicial matters pending in his court. He should have asked for an extension of time to decide the pending cases before the expiration of the 90-day reglementary period, but he failed to do so. In any event, his liability was mitigated by his heavy case load, described as "extremely high" compared with the case loads of other regional trial courts in the country; the lack of stenographers; and his substantial compliance with the directives of the OCA. It was therefore recommended that he be fined in the amount of P10,000.

The Court's Ruling

We agree with the findings and recommendation of the OCA.