

THIRD DIVISION

[A.M. No. MTJ-01-1341 (Formerly A.M. No. 99-9-134-MeTC), February 15, 2001]

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
JUDGE REINATO G. QUILALA AND BRANCH CLERK OF COURT
ZENAIDA D. REYES-MACABEO, METC, BRANCH 26, MANILA,
RESPONDENTS.**

DECISION

SANDOVAL-GUTIERREZ, J.:

This case stemmed from the letter dated June 18, 1999 of Judge Aida Rangel-Roque, Metropolitan Trial Court, Branch 24, Manila, addressed to Court Administrator Alfredo L. Benipayo, requesting an extension of time within which to resolve the undecided cases and pending incidents in other cases assigned to Branch 26 vacated by Judge Reinato G. Quilala who was promoted to the Regional Trial Court, Branch 57 at Makati City on March 25, 1999. In her letter, Judge Roque stated that the said cases are additional workload on her part as she is not only the pairing judge of Branch 26 but also its presiding judge pursuant to Supreme Court Circular No. 19-98 dated February 18, 1998.

On May 24, 1999, Judge Roque issued a memorandum directing Zenaida C. Reyes-Macabeo, Branch Clerk of Court of Branch 26, to furnish her with the list of cases submitted for decision and those with pending incidents for resolution.

On June 14, 1999, Branch Clerk of Court Macabeo submitted to Judge Roque the required list of cases. On the basis of this list, Judge Roque sent the instant request to the Court Administrator.

On August 26, 1999, the Court Administrator reported to the Court that there are 12 criminal cases and 9 civil cases submitted for decision and with pending incidents for resolution. Among those submitted for decision, 10 criminal cases and 7 civil cases have not been decided within the reglementary period. Likewise, the various Monthly Report of Cases submitted by Branch 26 to the OCA Statistical Reports Division show that from 1996 to 1999, Judge Quilala and Ms. Macabeo did not indicate therein the cases already submitted for decision, except in the Monthly Report of Cases in August, 1998. This fact was not also specified in the Certificates of Service submitted by Judge Reinato Quilala.

As recommended by the Court Administrator, the Court *En Banc* issued a resolution dated October 5, 1999 stating:

"Acting on the Letter dated 18 June 1999 of Judge Aida Rangel-Roque, MeTC, Branch 24, Manila, requesting an extension of time within which to resolve the undecided cases and cases with pending incidents in Branch 26, same court, due to the numerous cases submitted for decision, the

Court Resolved to:

- (1) GRANT the aforesaid request;
- (2) GIVE Judge Roque a period of ninety (90) days from notice within which to resolve the undecided cases and cases with pending incidents in Branch 26;
- (3) DIRECT Judge Roque to furnish this Court, through the Office of the Court Administrator, with copies of her decisions and resolutions immediately upon rendition thereof;
- (4) DIRECT Judge Reinato G. Quilala, former Presiding Judge, MeTC, Branch 26, Manila and now Presiding Judge, RTC, Branch 57, Makati City, to explain within ten (10) days from notice why no administrative sanction should be imposed on him for failure to decide the subject cases within the reglementary period and for failure to indicate such fact in his certificates of service and monthly report of cases; and
- (5) DIRECT Clerk of Court Zenaida C. Reyes-Macabeo, MeTC, Branch 26, Manila, to explain within ten (10) days from notice why no administrative sanction should be imposed on her for failure to indicate in the monthly report of cases she submitted to the Statistical Reports Division, OCA, the list of cases submitted for decision and cases which have remained undecided beyond the reglementary period."

In compliance with the above-quoted resolution, Judge Quilala and Ms. Macabeo submitted their explanations dated November 3, 1999 and November 9, 1999, respectively.

Judge Quilala explained that he could have resolved the said cases without delay had they been brought to his attention by the Branch Clerk of Court or by the clerks in-charge of the civil and criminal cases. But they could not do so because of the miserable plight of their office then infested with termites, rats and cockroaches. In November of 1997, Judge Quilala recalled, "we were unceremoniously uprooted from our old site and lumped together at the long-vacated and rickety building of the Sta. Cruz Fire Station. Our office tables, chairs, typewriters and other equipment and the records of cases were just dumped at the ground floor of the old fire station building together with the rest of the 12 salas that were transferred thereat. It took us several weeks before we could temporarily organize our things in our sala where workers are rushing completion thereof." Judge Quilala ended his letter by begging the kind indulgence of this Court for his inadvertence, promising that the matter in question will not be repeated.

For her part, Ms. Macabeo explained that her failure to indicate in the Monthly Report of Cases the cases submitted for decision and those with pending incidents unresolved within the reglementary period, "may be attributed mainly to circumstances of which I may not have total control." She stated that "in the latter part of 1996, our two (2) built-in-cabinets were infested by termites," as a result of which "all our records got mixed up. This situation was further aggravated when we had to prematurely transfer to our new office at Ongpin Street, Sta. Cruz, Manila. The decrepit building which housed our court has a leaking roof which prompted us

to constantly move our records to prevent them from being damaged. Because of this situation, I had to write the Executive Judge to call her attention about the matter but until now, the roof still leaks." She further explained that it was only after she received Judge Aida Rangel-Roque's memorandum she found those cases submitted for decision which were placed in a wrong bundle.

In a resolution dated December 14, 1999, the Court *En Banc* referred the separate letters dated November 9 and 19, 1999 of Judge Quilala and Ms. Macabeo to the Office of the Court Administrator for evaluation, report and recommendation.

The Court Administrator, in his memorandum dated January 18, 2000, found the explanations of Judge Quilala and Branch Clerk of Court Macabeo unsatisfactory. The Court Administrator's evaluation of the case reads:

"EVALUATION : Judge Quilala blames his inaction on the cases to his court personnel and to their transfer to another building on November 1997. Ms. Macabeo on the other hand attributed her failure to circumstances she has no control like, the transfer in 1997, water leaks, and termites. Judge Quilala should be reminded of his administrative responsibilities. Under Canon 3, Rule 3.09 of the Code of Judicial Conduct, a judge should organize and supervise the court personnel to ensure the prompt and efficient dispatch of business, and require at all times the observance of high standard of public service and fidelity. As a judge, he should diligently maintain professional competence in court management. As a rule, a judge shall dispose of the court's business promptly and decide cases within the required periods. He is the Court Manager, and as such, the burden of knowing cases that are to be decided within the required period rests on his shoulder. He should not blame the court personnel for not bringing to his attention the undecided cases. He has the sworn duty to administer justice without undue delay. Failure to decide cases within the periods fixed by law constitutes a neglect of duty, which warrants the imposition of administrative sanctions. If he believes he could not decide the cases within the period, he should have asked for extension of time and the court has been lenient on this matter. For failing to do so, respondent judge has to suffer the consequences of his omission. As to Ms. Reyes-Macabeo, she should have, knowing the conditions that they were into, guarded zealously the records of cases in their branch. Furthermore, Judge Quilala and Ms. Reyes-Macabeo averred that they transferred in 1997, however, a perusal of the submitted cases undecided show that there were cases undecided prior to November 1997, to wit:

CIVIL CASE NO.:

DATE SUBMITTED:

- | | | |
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| 1. | 088607-CV | May 27, 1986 |
| 2. | 147377 | August 7, 1995 |
| 3. | 152219 | Jan. 6, 1997 |
| 4. | 152847 | Sept. 12, 1997 |

CRIMINAL CASE NO.

- | | | |
|----|--------|---------------|
| 1. | 209794 | June 28, 1996 |
| 2. | 209795 | June 28, 1996 |