Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

OFFICE OF THE COURT ADMINISTRATOR, Complainant,	A.M. No. MTJ-11-1787 [Formerly A.M. No. 08-5-146-MeTC] Present:
	VELASCO, JR., J., *Chairperson,* PERALTA, DEL CASTILLO,[*] ABAD, and MENDOZA, *JJ.*
- versus -	
MARIANITO C. SANTOS, **Presiding Judge,** **Metropolitan Trial Court,** **Branch 57, San Juan City,** Respondent.	Promulgated: 11 October 2012

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DECISION

MENDOZA, *J.*:

The matter before this Court is an administrative case against Judge Marianito C. Santos *(Judge Santos)*, Presiding Judge of Metropolitan Trial Court, San Juan City, Branch 57 *(MeTC)*, who accumulated 294 undecided cases outside the required period of disposition.

In a Letter, dated May 5, 2008,[1] Judge Santos requested from the Office of the Court Administrator *(OCA)* additional time to try and decide two election cases, namely: (a) Special Proceedings No. 2007-02 *(Election Protest No. 2007-02)* filed by a certain Felicisimo Gavino against Raymundo Jucutan; and (b) Special Proceedings No. 2007-*03 (Election Protest No. 2007-03)* initiated by Angel Marinas against Edgardo Corre.

The OCA, in its Report,[2] dated May 22, 2008, favorably recommended the extension requested by Judge Santos which was adopted by the Court in its July 21, 2008 Resolution.[3] Judge Santos was granted an extension of thirty (30) days or until June 7, 2008 to decide both election cases and was directed to furnish the Court with copies of his decisions on said cases within ten (10) days from the promulgation of judgment.

Thereafter, in a Letter,[4] dated March 03, 2009, Judge Santos provided the Court with a copy of his February 16, 2009 Decision[5] in Election Protest No. 2007-03. The OCA, however, noticed that the said decision was rendered eight (8) months beyond the extension granted to Judge Santos. In its March 11, 2009 Report,[6] the OCA recommended:

> **IN VIEW OF THE FOREGOING, it is respectfully recommended for the consideration of the Honorable Court that: (1) the letter, dated 2 March 2009 of Presiding Judge Marianito C. Santos of the Metropolitan Trial Court, Branch 57, San Juan City, be NOTED; (2) the submission of a copy of the decision in Election Protest No. 2007-03 be treated as PARTIAL COMPLIANCE with the resolution dated 21 July 2008; (3) Judge Santos be ADVISED to decide cases within the period as requested by him with WARNING that repetition of the same infraction in the future shall be dealt with more severely; and (4) Judge Santos be REQUIRED to submit to the Court, through the Office of the Court Administrator, a copy of the decision in Election Protest No. 2007-02 within ten (10) days from notice hereof.**

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[1] *Rollo*, p. 2.
[2] Id. at 1.
[3] Id. at 6.
[4] Id. at 7.
[5] Id. at 8-16.
[6] Id. at 20.

Accordingly, on June 1, 2009, the Court resolved to (1) note the March 2, 2009 Letter of Judge Santos; (2) treat the submission of a copy of the decision in Election Protest No. 2007-03 as partial compliance with the July 21, 2008 Resolution; (3) advise Judge Santos to decide cases within the period as requested by him with warning that a repetition of the same infraction in the future would be dealt with more severely; and (4) require Judge Santos to submit to the Court, through the OCA, a copy of his decision in Election Protest No. 2007-02 within ten (10) days from this notice.[7]

In a letter, dated July 10, 2009, Judge Santos sought another extension of thirty (30) days or until August 10, 2009 to decide Special Proceedings No. 2007-02 as he apparently needed more time to evaluate the voluminous records of the case.[8]

The OCA, in its Memorandum,[9] dated July 22, 2009, recommended that (1) the Letter, dated July 10, 2009, be noted; (2) Judge Santos be directed to explain within ten (10) days from notice why he failed to decide, Election Protest No. 2007-02 within the requested period; (3) Judge Santos be granted a period until August 10, 2009 within which to decide on Election Protest No. 2007-02 and to submit to the Court, through the OCA, a copy of the decision in Election Protest No. 2007-02 within ten (10) days from rendition thereof.

Through a Letter,[10] dated August 19, 2009, Judge Santos submitted a copy of the promulgated decision[11] in Election Protest No. 2007-02, dated August 10, 2009. In its September 4, 2009 Report,[12] the OCA recommended that the letters dated July 10, 2009 and August 19, 2009 from Judge Santos

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[7] Id. at 21-22.
[8] Id. at 23.
[9] Id. at 28-29.
[10] Id. at 30.
[11] Id. at 31-40.
[12] Id. at 41-42.

be noted and that he be required to explain within ten (10) days from notice why he failed to dispose of the case within the requested period. Acting thereon, the Court, in its September 23, 2009 Resolution,[13] noted Judge Santos' letters and ordered him to explain within ten (10) days from notice why he failed to decide the case within the period requested.

In his Letter,[14] dated October 29, 2009, Judge Santos explained that although he only requested for a period until August 9, 2009 to submit the decision in Election Protest No. 2007-02, he miscalculated the period he originally asked as there were other cases due for decision while acting as Pairing Judge of Branch 58, MeTC, also in San Juan City, after the death of its Presiding Judge, Judge Philip G. Labastiada. This was in addition to his regular duties as Executive Judge of MeTC, San Juan City. He also had to monitor the administrative supervision of the Office of the Clerk of Court because the Officer-in-Charge was only performing it in an acting capacity. As such, he likewise had to occasionally check the flow of funds in the said office.

In its Resolution,[15] dated February 1, 2010, the Court took note of Judge Santos' October 29, 2009 Letter and referred it to the OCA for evaluation, report and recommendation within sixty (60) days from notice.

In its Memorandum,[16] dated December 13, 2010, the OCA found that, as of September 2010, Branch 57, had a total of 708 pending cases with 304 pending cases already submitted for decision. Of these 304 cases, 294 were already beyond the reglementary period. Of the 294 cases, 143 were left by previous judges while 151 cases had been submitted for decision before Judge Santos. The OCA recommended that the matter be re-docketed as a regular administrative matter, among others.

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[13] Id. at 43-44.
[14] Id. at 45-46.
[15] Id. at 71.
[16] Id. at 72-75.

Hence, in its February 28, 2011 Resolution,[17] the Court resolved to:

> 1. RE-DOCKET this administrative matter as a regular administrative matter;
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> 2. DIRECT Presiding Judge Marianito C. Santos, MeTC, Br. 57, San Juan City, to: (a) SHOW CAUSE within twenty (20) days from receipt hereof why no administrative sanction shall be imposed on him for failure to decide within the reglementary period some 151 cases that have been submitted for decision before him and some 143 cases that have been submitted for decision before the other judges previously assigned at the said court, all of which cases had been listed in the court's Monthly Report of Cases for September 2010, (b) TAKE APPROPRIATE ACTION within ten (10) days from receipt hereof on the cases submitted for decision before Presiding Judge Marilou D. Runes-Tamang, MeTC, Br. 73, Pateros, in accordance with the Resolution of the Court dated 08 June 2004 in A.M. No. 04-5-19-SC, (c) DECIDE within four (4) months from receipt hereof all the said cases submitted to him for decision and those of his predecessors (many BP 22 cases with several counts), and (d) CEASE AND DESIST from conducting trial at Branch 57 during the said four (4)-month period when he will be deciding the cases; and
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> 3. DIRECT Ms. Nelita R. de Dumo, Branch Clerk of Court, same court, to SUBMIT to the OCA a report on the status of the aforementioned undecided cases within the first ten (10) days of each month.
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Nelita R. de Dumo, Clerk of Court III, MeTC, Branch 58, San Juan City, submitted her Manifestation and Comment[19] to clarify that the Court's February 28, 2011 Resolution erroneously named her as the Branch Clerk of Court of Branch 57, MeTC, San Juan City. She informed the Court that Melissa Perez *(Perez)* was the Branch Clerk of Court of Branch 57. She prayed that she be relieved from complying with the Court's Resolution and that Perez be directed to comply with the resolution instead.

Thus, in its Resolution,[20] dated June 6, 2011, the Court ordered the correction of paragraph 3 of the February 28, 2011 Resolution so it would

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[17] Id. at 145-147.
[18] Id. at 146.
[19] Id. at 148-151.
[20] Id. at 207-208.

read as follows: "DIRECT Ms. Melissa B. Perez, Branch Clerk of Court, Metropolitan Trial Court, Br. 57, San Juan City, to SUBMIT to the OCA a report on the status of the aforementioned undecided cases within the first ten (10) days of each month."[21]

In compliance with the June 6, 2011 Resolution of this Court, Perez submitted a list of cases submitted for decision in two letters, dated September 1, 2011[22] and November 4, 2011,[23] respectively.

In a Letter,[24] dated November 8, 2011, Judge Santos informed the Court that he had already decided the 294 cases submitted for decision and requested that the administrative matter against him be dismissed in view of his full compliance. Similarly, Perez reported that the pending cases listed in the September 2010 OCA Report were already decided and promulgated.[25]

In the Court's Resolution,[26] dated December 5, 2011, this administrative matter was referred to the OCA for further evaluation, report and recommendation within sixty (60) days from notice.

The OCA, in its Memorandum,[27] dated July 16, 2012, found Judge Santos' justification insufficient. The OCA observed that Judge Santos "did not voluntarily mention or reveal the subject 294 cases and did not include them in his request for extension of time to decide the two (2) election cases. Although they could be found in the monthly reports of cases and in the semestral docket inventories, he should have been more forthright in stating such fact."[28] Thus, the OCA made the following recommendation:

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[21] Id. at 207.
[22] Id. at 210.
[23] Id. at 225.
[24] Id. at 216-217.
[25] Id. at 223.
[26] Id. at 221.
[27] Id. at 240-242.
[28] Id. at 241.

In view of the foregoing, we respectfully submit for the consideration of the Honorable Court that Presiding Judge Marianito C. Santos, Metropolitan Trial Court, Branch 57, San Juan City, be: (a) found GUILTY of undue delay in rendering decision in 294 cases and FINED in the amount of Twenty Thousand Pesos (₱20,000.00); and (b) REMINDED to take priority action on all cases which are submitted for decision before him, especially those already beyond the reglementary period to decide, with WARNING that the repetition of a similar infraction shall be dealt with more severely.[29]

After a careful examination of the records of this case, the Court finds the recommendation of the OCA to be well-taken.

Section 15, Article VIII of the 1987 Constitution requires lower courts to decide or resolve cases or matters for decision or final resolution within three (3) months from date of submission. Corollary to this constitutional mandate, Canon 1, Rule 1.02, of the Code of Judicial Conduct directs that a judge should administer justice impartially and *without delay*. [Emphasis supplied]

Specifically, Canon 3, Rule 3.05 of the Code of Judicial Conduct enjoins judges to dispose of their business promptly and to decide cases within the required period. All cases or matters must be decided or resolved by all lower courts within a period of three (3) months from submission.

To stress the importance of prompt disposition of cases, the Court, in Administrative Circular No. 3-99, dated January 15, 1999, reminded all judges to strictly follow the periods prescribed by the Constitution for deciding cases because failure to comply with the said period violates the parties' constitutional right to speedy disposition of their cases.[30] Hence,

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[29] Id. at 242.
[30] *Re: Cases submitted for Decision before Hon. Meliton G. Emuslan, Former Judge, Regional Trial Court, Branch 147, Urdaneta City, Pangasinan*, A.M. No. RTJ-10-2226, March 22, 2010, 616 SCRA 280, 282.

failure to decide cases within the ninety (90)-day reglementary period may warrant imposition of administrative sanctions on the defaulting judge.[31]

In this case, Judge Santos failed to render the decision in 294 cases within the reglementary period or to even ask for extension.[32] "The Court, in its aim to dispense speedy justice, is not unmindful of circumstances that justify the delay in the disposition of the cases assigned to judges. It is precisely for this reason why the Court has been sympathetic to requests for extensions of time within which to decide cases and resolve matters and incidents related thereto. When a judge sees such circumstances before the reglementary period ends, all that is needed is to simply ask the Court, with the appropriate justification, for an extension of time within which to decide the case. Thus, a request for extension within which to render a decision filed beyond the 90-day reglementary period is obviously a subterfuge to both the constitutional edict and the Code of Judicial Conduct."[33]

Judge Santos could have easily asked the Court for an extension of time to decide on these cases like what he had done in the two election cases. He, however, opted not to do so. The Court cannot understand why Judge Santos asked for extension in the two election cases but not in the 294 cases already waiting for disposition in his sala. The Court can only surmise that it was deliberate so he could not be directed by the Court to immediately resolve all of them. The fact that the cases were mentioned in the monthly report of cases and semestral docket inventories is not extenuating. The indelible fact is that he was in delay in resolving those cases. Under the circumstances, it was inexcusable.

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[31] *Office of the Court Administrator v. Garcia-Blanco*, 522 Phil. 87, 99 (2006).
[32] *Re: Report on the Judicial Audit Conducted in the RTC-Br. 220, Quezon City*, 412 Phil. 680, 684-685 (2001).
[33] *Re: Request of Judge Roberto S. Javellana, RTC-Br. 59, San Carlos City (Negros Occidental) for Extension of Time to decide Civil Cases Nos. X-98 & RTC 363*, 452 Phil. 463, 467 (2003).

Heavy caseload and demanding workload are not valid reasons to fall behind the mandatory period for disposition of cases. Any delay, no matter how short, in the disposition of cases weakens the people's faith and confidence in our judicial system.[34] Judge Santos' full compliance of the Court's directive to decide all pending 294 cases submitted for decision does not exculpate him from administrative sanction.

Sections 9(1) and 11(B), Rule 140 of the Rules of Court, as amended by A.M. No. 01-8-10-SC,[35] categorize undue delay in rendering a decision or order as a less serious charge with the following administrative sanctions: (a) suspension from office without salary and other benefits for not less than one (1) or more than three months; or (b) a fine of more than ₱10,000.00 but not exceeding ₱20,000.00.

WHEREFORE, Presiding Judge Marianito C. Santos, Metropolitan Trial Court, Branch 57, San Juan City, is found **GUILTY** of undue delay in rendering the decision in 294 cases. Accordingly, he is ordered to pay a **FINE** of **TWENTY THOUSAND PESOS** (₱20,000.00). He is hereby reminded to take priority action on all cases which are submitted for decision and **WARNED** that a repetition of a similar infraction would be dealt with more severely.

SO ORDERED.

JOSE CATRAL MENDOZA
Associate Justice

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[34] *Office of the Court Administrator v. Judge Eisma*, 439 Phil. 601, 609 (2002).
[35] Promulgated on September 11, 2001 and took effect on October 1, 2001.

WE CONCUR:

PRESBITERO J. VELASCO, JR.
Associate Justice
Chairperson

DIOSDADO M. PERALTA
Associate Justice

MARIANO C. DEL CASTILLO
Associate Justice

ROBERTO A. ABAD
Associate Justice