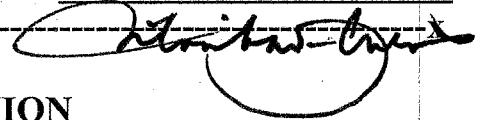


EN BANC

A.M. No. RTJ-25-112[Formerly JIB FPI NO. 22-185-RTJ — ANONYMOUS, Complainant, v. HON. JACINTO M. DELA CRUZ, JR., Presiding Judge, Branch 81, Regional Trial Court, Asingan, Pangasinan, Respondent.

Promulgated:  
February 4, 2026

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DISSENTING OPINION

LEONEN, SAJ:

This case stems from an Anonymous Letter dated July 5, 2022 sent to the Judicial Integrity Board reporting that respondent Judge Jacinto M. Dela Cruz, Jr., previously of Branch 33 of the Regional Trial Court in Bauang, La Union, promulgates his decisions by reading only their dispositive portions online, and releasing the hardcopy much later. The Letter alleged that this caused delays for parties in terms of appeals or clearances.<sup>1</sup>

The matter was referred to the Office of the Court Administrator (OCA) for investigation and report. In their investigation, the OCA confirmed that the hardcopies of a few decisions were issued several months after promulgation and were antedated to make it appear it was decided within the required 90-day period to resolve cases. It thus noted that respondent falsified his Certificate of Service by claiming that he decided cases within the reglementary period.<sup>2</sup>

In his explanation, respondent reasoned that he only promulgated decisions in this manner if the parties and their counsel themselves chose a reading of the dispositive portions instead of the full decisions. In case of acquittals, he ensured the person deprived of liberty is immediately released from detention on the same day of promulgation.<sup>3</sup>

The OCA recommended the filing of administrative charges against respondent for gross misconduct and falsification of official documents.<sup>4</sup>

In its Report and Recommendation dated November 4, 2025, the Judicial Integrity Board also recommended that respondent be held liable for falsification of official documents and for gross misconduct violations under

<sup>1</sup> Ponencia, pp. 1-2.

<sup>2</sup> *Id.* at 2.

<sup>3</sup> *Id.* at 3.

<sup>4</sup> *Id.* at 2.



the Code of Judicial Conduct and as a member of the Philippine Bar. It also proposed the imposition of the penalties of dismissal, forfeiture of all benefits, prohibition from employment in any government agency or instrumentality, and a fine of PHP 51,000.00.<sup>5</sup>

The *ponencia* however found respondent liable only for simple misconduct, and thus imposed only a fine of PHP 25,500.00. It noted that while respondent furnished hardcopies of decisions to litigants months after their promulgation, there is no showing that his actions were “tainted with corruption, clear intent to violate the law, or flagrant disregard of an established rule.”<sup>6</sup>

The *ponencia* also considered that the involved cases took place between 2020 and 2022 at the height of the COVID-19 pandemic when everyone was transitioning to remote hearings via video conferences.<sup>7</sup> It also factored in the following reasons given by respondent: (i) for five years he had no legal researcher assisting him thus causing him to need additional time to proofread and edit his decisions; (ii) he caught COVID-19 twice in 2023; (iii) his sister who was taking care of their ill mother became physically paralyzed; (iv) his parents passed away in 2022. The *ponencia* further found that currently, the hardcopies of his judgements were already released to all parties, their motions for reconsideration were timely resolved, and he has no backlogs in his current docket. Respondent also ensured that persons deprived of liberty who were acquitted were immediately released from detention on the same day of the promulgation of the verdict. Finally, it considered his exemplary performance as a judge, his lack of prior violations of existing laws or rules and regulations, and his remorse for his infractions.<sup>8</sup>

I dissent.

I find that the penalty against respondent should still be higher.

Article VIII, Section 14 of the Constitution provides that “[n]o decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based.” The rationale for this requirement was discussed by this Court in *Francisco v. Permskul*:<sup>9</sup>

The purpose has always been the same, *viz.*, to inform the person reading the decision, and especially the parties, of how it was reached by the court after consideration of the pertinent facts and examination of the applicable laws.

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<sup>5</sup> *Id.* at 3–4.

<sup>6</sup> *Id.* at 4, 7–8.

<sup>7</sup> *Id.* at 7.

<sup>8</sup> *Id.* at 5–6.

<sup>9</sup> 255 Phil. 311 (1989) [Per J. Cruz, *En Banc*].

The parties are entitled to no less than this explanation if only to assure them that the court rendering the decision actually studied the case before pronouncing its judgment. But there are more substantial reasons. For one thing, the losing party must be given an opportunity to analyze the decision so that, if permitted, he may elevate what he may consider its errors for review by a higher tribunal. For another, the decision, if well-presented and reasoned, may convince the losing party of its merits and persuade it to accept the verdict in good grace instead of prolonging the litigation with a useless appeal. A third reason is that decisions with a full exposition of the facts and the law on which they are based, especially those coming from the Supreme Court, will constitute a valuable body of case law that can serve as useful references and even as precedents in the resolution of future controversies.<sup>10</sup>

Thus, a decision should inform the reader of how the resolution was reached given the established facts and review of the applicable laws. It is for the aggrieved party to study the resolution so they may decide if they will accept it or question it in a higher court if possible. Noncompliance with this required form of a ruling deprives parties of pursuing the reliefs they are entitled to.

In relation to respondent's cases, since he eventually released the hardcopies of the decisions, the parties were not denied their day in court per se.

Nonetheless, claiming in an official document that the cases have been resolved when in fact they have not been so is a grave infraction constituting a serious offense under the 2025 Code of Judicial Conduct and Accountability (CJCA)<sup>11</sup> and the Code of Professional Responsibility and Accountability (CPRA).<sup>12</sup>

I agree that his acts do not constitute "corruption, clear intent to violate the law, or flagrant disregard of an established rule" to be deemed gross misconduct.<sup>13</sup> Under the CPRA, gross misconduct is analogous to inexcusable, shameful or flagrant unlawful conduct.<sup>14</sup> In *Judge Banzuela-Didulo v. Santizo*:<sup>15</sup>

To be sure, "dishonesty is the disposition to lie, cheat, deceive or defraud; untrustworthiness; lack of integrity; lack of honesty, probity or integrity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray." Misconduct, on the other hand, is defined as the "transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by the public officer. To warrant dismissal from the service, the misconduct must be grave,

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<sup>10</sup> *Id.* at 316.

<sup>11</sup> CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, A.M. No. 25-04-04-SC, November 11, 2025.

<sup>12</sup> CODE OF PROF. RESPONSIBILITY AND ACCOUNTABILITY, A.M. No. 22-09-01-SC, April 11, 2023.

<sup>13</sup> *Ponencia*, p. 4.

<sup>14</sup> CODE OF PROF. RESPONSIBILITY AND ACCOUNTABILITY, Canon VI, sec. 33.

<sup>15</sup> 935 Phil. 496 (2023) [Per J. Kho, Jr., *En Banc*].

serious, important, weighty, momentous, and not trifling. The misconduct must imply wrongful intention and not a mere error of judgment and must also have a direct relation to and be connected with the performance of the public officer's official duties amounting either to maladministration or willful, intentional neglect, or failure to discharge the duties of the office. In order to differentiate gross misconduct from simple misconduct, the elements of corruption, clear intent to violate the law, or flagrant disregard of established rule, must be manifest in the former."<sup>16</sup> (Citations omitted)

However, indicating in his Certificate of Service that he has promulgated a decision without yet releasing it in full and only reading its dispositive portion constitutes serious dishonesty and falsification of an official document. Section 18 of the CJCA explicitly states that making untrue statements in a certificate of service is deemed a serious offense:

SECTION 18. *Serious Offenses.* — Serious offenses include:

(a) Gross misconduct constituting violations of this Code, the Code of Conduct and Ethical Standards for Public Officials or Employees, or of the Code of Professional Responsibility and Accountability;

....

(d) *Falsification of official documents, including making untruthful statements in the certificate of service;*

(e) Serious dishonesty;

....

This provision should not be glossed over. It is false to state that a decision has been promulgated when no hardcopy of it has yet been provided and only the dispositive portion was read to the parties. It is grossly inaccurate to represent that a decision has been rendered when in fact it is not yet released. The reading of dispositive portions is inadequate and does not result to a full resolution of the case for the parties. It does not allow them to properly appeal should they wish to. As stated in the *ponencia*, "certificates of service must faithfully reflect the real docket and accomplishments in accordance with the established rules of procedure."<sup>17</sup> Thus, to state that a case has been resolved in the certificate of service when the hardcopies of the decision have not been released to the parties is a falsification and constitutes serious dishonesty.

Nonetheless, while respondent's acts are serious offenses, I agree that the global situation and respondent's personal circumstances at the time should be considered in determining the proper penalty. Section 24 of the CJCA provides:

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<sup>16</sup> *Id.* at 510-511.

<sup>17</sup> *Ponencia*, p. 6.

SECTION 24. *Modifying Circumstances.* — In determining the appropriate penalty to be imposed, the Court may, in its discretion, appreciate the following mitigating and aggravating circumstances:

- (1) Mitigating circumstances:
  - (a) First offense;
  - (b) Length of service of, at least, 10 years with no previous disciplinary case where respondent was meted an administrative penalty;
  - (c) Exemplary performance;
  - (d) Humanitarian considerations;
  - (e) Unconditional admission of guilt and public demonstration of remorse; and
  - (f) Other analogous circumstances.
- (2) Aggravating Circumstances:
  - (a) Finding of previous administrative liability where a penalty has been imposed, regardless of nature or gravity;
  - (b) Length of service facilitated the commission of the offense;
  - (c) Employment of fraudulent means to conceal the offense;
  - (d) Arrogance, belligerent attitude of the respondent, or lack of remorse; and
  - (e) Other analogous circumstances.

Under Section 25 of the CJCA,<sup>18</sup> if there are mitigating circumstances without aggravating ones, this Court may impose the penalty of suspension or a fine “for a period or amount not less than half of the minimum prescribed under [Canon VII (Accountability) of the CJCA].”

Under the CJCA, serious offenses may be imposed the following penalties:

SECTION 22. *Penalties.* —

(1) If the respondent is found guilty of a serious offense, any of the following penalties shall be imposed:

*(a) Dismissal from the service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including in government-owned or -controlled*

<sup>18</sup> SECTION 25. *Manner of Imposition of Penalty.* — If one or more aggravating circumstances and no mitigating circumstances are present, the Supreme Court may impose the penalty of suspension or fine, for a period or amount not exceeding double of the maximum prescribed under this Canon.

*If one or more mitigating circumstances and no aggravating circumstances are present, the Supreme Court may impose the penalty of suspension or fine, for a period or amount not less than half of the minimum prescribed under this Canon.*

If there are both aggravating and mitigating circumstances present, the Supreme Court may offset each against the other.

Notwithstanding the foregoing, the Supreme Court may impose the next higher or lower penalty against the respondent subject to its appreciation of the number and gravity of the mitigating and aggravating circumstances present.

*corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits;*

*(b) Suspension from office without salary and other benefits for one year and one day up to three years; and/or*

*(c) A fine of PHP101,000.00 but not more than PHP500,000.00.*

....

Thus, considering Canon VII, Section 22 of the CJCA, I find that respondent's acts warrant a higher fine of PHP 50,500.00, or half of the minimum fine of PHP 101,000.00 for serious offenses.

As a final note, I wish to emphasize that a judge is expected to discharge their functions in a manner that inspires confidence in the Judiciary.<sup>19</sup> Their conduct must conform and should appear to conform to the highest ethical standards.<sup>20</sup> They are also expected to prevent delay, oppression, and injustice in exercising their duties.<sup>21</sup> A judge fails in these mandates when they make false representations in their certificates of service.

**ACCORDINGLY**, I dissent as to the penalty imposed upon respondent. I vote to hold respondent **GUILTY** for serious dishonesty and falsification of an official document by making untruthful statements in his certificate of service. Considering, however, the mitigating circumstances in this case, I vote that respondent be meted a **FINE** in the amount of PHP 50,500.00.



MARVIC M.V.F. LEONEN  
Senior Associate Justice

<sup>19</sup> CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon II, sec. 3. *See also* CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon VI.

<sup>20</sup> CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon IV, sec. 2.

<sup>21</sup> CODE OF JUDICIAL CONDUCT AND ACCOUNTABILITY, Canon VI.