



Supreme Court of the Philippines Philippine Judicial Academy



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Judges: Impropriety and Gross misconduct

In *Madredijo vs. Judge Loyao, Jr.* 375 Phil 1, 17 (1999) the Supreme Court said that no judge has a right to solicit sexual favors from a party litigant even from a woman with loose morals. And in *Tom vs. Pacuribot*, A.M. No. RTJ-06-1982, December 14, 2007 the Court stressed:

We have repeatedly reminded members of the Judiciary to so conduct themselves as to be beyond reproach and suspicion, and to be free from any appearance of impropriety in their personal behavior, not only in the discharge of their official duties but also in their everyday lives. For no position exacts a greater demand on the moral righteousness and uprightness of an individual than a seat in the Judiciary. Judges are mandated to maintain good moral character and are at all times expected to observe irreproachable behavior so as not to outrage public decency. We have adhered to and set forth the exacting standards of morality and decency, which every member of the judiciary must observe. A magistrate is judged not only by his official acts but also by his private morals, to the extent that such private morals are externalized. He should not only possess proficiency in law but should likewise possess moral integrity for the people look up to him as a virtuous and upright man.

Respondent judge's acts of embracing, kissing and sucking complainants breast, touching her private parts, against her will fell short of the exacting standards for members of the judiciary. He failed to behave in a manner that would promote confidence in the judiciary. As a visible representation of the law and justice he was expected to be the epitome of integrity. He failed to live up to the high moral standards of the judiciary and even transgressed the ordinary norms of decency.

Had respondent not retired, his misconduct would have merited his dismissal from the service. However, he was fined P40,000.00 to be deducted from his retirement benefits. **(A.M. No. RTJ-08-2136, September 21, 2010)**

Judges: Delay in rendering judgment

Rule 3.05, Canon 3 of the Code of Judicial Conduct admonishes all judges to dispose of the court's business promptly and decide cases within the period specified in the Constitution. Also, 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.

Respondent judge failed to act on complainant's motion for reconsideration within the prescribed period. Her claim of death threats on her and her staff, even if real, is not a valid excuse for her inaction. As a member of the judiciary, she must display diligence and competence amid all adversities.

Respondent judge was admonished to be more circumspect in observing the reglementary period for disposing of motions. **(A.M. No. RTJ-10-2248, September 29, 2010)**

Judges: Gross inefficiency

Any delay, no matter how short in the disposition of cases undermines the people's faith and confidence in the judiciary. It also deprives the parties their right to the speedy disposition of their cases.

Respondent's failure to act on complainant's motion within the reglementary period for no apparent reason and without any explanation for such delay constitutes gross inefficiency, for which, she was fined P20,000.00. **(A.M. No. MTJ-10-1764, September 15, 2010)**

Clerk of Court II: Dishonesty

Dishonesty and falsification are malevolent acts that have no place in the Judiciary. A person aspiring for public office must observe honesty, candor, and faithful compliance with the law.

Respondent's act of using for her benefit the fake or spurious civil service eligibility not only amounted to violation of the Civil Service Examinations but also resulted to the prejudice of the government and the public in general.

For dishonesty, respondent clerk of court was dismissed from the service with forfeiture of her retirement benefits and with prejudice to re-employments in the government. **(A.M. No. P-07-2292, September 28, 2010)**

Supreme Court Employees: Violation of Reasonable Office Rules and Regulations

The Supreme Court in *A.M. No. 2005-07-SC, April 19, 2006*, emphasized the importance of attendance registration via Chronolog Time Recorder Machine (CTRM) to wit:

The CTRM registration is not being imposed as a tedious and empty requirement. The registration of attendance in office by public employees is an attestation to the taxpaying public of their basic entitlement to a portion of the public funds. Verily, the registration requirement stands as the first defense to any attempt to defraud the people of the services they help sustain. This requirement finds its underpinnings in the constitutional mandate that a public office is a public trust. Inherent in this mandate is the observance and efficient use of every moment of the prescribed office hours to serve the public

Respondents justifications for non-observance of their regular office hours by failing to register via the CTRM are not persuasive and hardly evokes sympathy. Moral obligations, performance of household chores, traffic problems, financial and domestic concerns are not sufficient reasons to excuse habitual tardiness.

For violation of reasonable office rules and regulations, all respondents were warned except for one who was suspended for six (6) months without pay for being dishonest. **(A.M. No. 200-21-SC, September 28, 2010)**

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