

### Title:

\*\*In Re: Ma. Victoria P. Radam - A Discourse on Immorality Charges Against Court  
Personnel\*\*

### Facts:

This case revolves around Ma. Victoria P. Radam, a utility worker at the Office of the Clerk of Court of the Regional Trial Court of Alaminos City, Pangasinan, Philippines, who faced charges of immorality due to giving birth out of wedlock. The charge originated from an anonymous letter dated September 30, 2005, claiming that Radam's actions tainted the judiciary's image. Upon receiving the complaint, Judge Elpidio N. Abella of the same court conducted a discreet investigation.

Radam admitted to her unmarried status, pregnancy, and the birth of her child, Christian Jeon Radam, on November 3, 2005. She disclosed she and the child's father planned to remain unmarried for migration purposes but expressed remorse for her actions. It was found that Radam was a utility worker employed since September 4, 2000, and the father of the child was listed as "unknown" on the birth certificate. Based on these findings, Judge Abella recommended finding Radam guilty of immoral conduct or an act unbecoming a court employee, proposing a suspension or a fine.

However, the Office of the Court Administrator (OCA) later recommended absolving Radam from immorality charges, reasoning that her conduct as a utility worker, specifically giving birth out of wedlock, did not affect her job performance or public service. Instead, the OCA recommended holding Radam liable for misrepresenting the father's identity as "unknown" on the birth certificate.

### Issues:

1. Whether giving birth out of wedlock constitutes immoral conduct under civil service laws sufficient to warrant disciplinary action.
2. Whether Radam's action of listing the father of her child as "unknown" on the birth certificate constitutes conduct unbecoming a court employee.
3. Whether Radam was afforded due process regarding the charge related to the birth certificate information.

### Court's Decision:

The Philippine Supreme Court dismissed the administrative complaint against Radam. It clarified that giving birth out of wedlock is not per se immoral under civil service laws

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unless it is “grossly immoral,” meaning it must be highly reprehensible or constitutes a criminal act. In applying these standards, the Court found Radam’s act did not warrant administrative sanction, as her case did not involve extramarital relations with a married person.

Regarding the issue of the birth certificate, the Court criticized the OCA’s recommendation to sanction Radam for a charge not initially included in the investigation, highlighting that this violated her right to due process. The Court stressed that due process in administrative proceedings requires informing the employee of the charges against them and providing a reasonable opportunity to present their side and evidence.

### ### Doctrine:

This case reiterates the doctrine that for conduct to be considered “grossly immoral” and thus warrant disciplinary action under civil service laws, it must significantly transgress societal moral standards to a degree that it constitutes a criminal act or is highly reprehensible. Additionally, it underscores the importance of due process in administrative proceedings, emphasizing that individuals must be informed of charges against them and given an opportunity to respond.

### ### Class Notes:

1. Grossly Immoral Conduct: Behavior that is so corrupt or false as to constitute a criminal act or so unprincipled as to be highly reprehensible.
2. Due Process in Administrative Proceedings: Ensures that an employee is informed of the charges against them and has a reasonable opportunity to defend themselves, both in writing and verbally.
3. Application: In evaluating allegations of immorality, especially in the context of civil service, the distinction between secular/public morality and religious/personal morality must be maintained, prioritizing laws and constitutional principles.

### ### Historical Background:

This case highlights the evolving legal and societal perspectives on personal conduct, morality, and its impact on public service in the Philippines. It reflects the judiciary’s role in navigating complex moral and ethical issues while safeguarding individuals’ rights within the government service context.