

### Title:

\*\*Philippine Supreme Court Administrative Matter: Public Reprimand of Former Chief Justice Maria Lourdes P. A. Sereno for Violation of the Sub Judice Rule and Ethical Standards\*\*

### Facts:

This case originated from the quo warranto proceedings entitled “Republic of the Philippines, represented by Solicitor General Jose C. Calida vs. Maria Lourdes P. A. Sereno,” questioning the eligibility of Maria Lourdes P. A. Sereno for the position of Chief Justice. Following her impeachment complaint filed on August 30, 2017, for various charges, the Solicitor General lodged a quo warranto petition against Sereno. Throughout the process, including legislative hearings and the Supreme Court’s proceedings, Sereno made numerous public appearances and statements that criticized the impeachment process, the quo warranto petition, and cast aspersions on the impartiality of the Supreme Court and its members. Such actions were viewed by the Court as violations of professional and judicial conduct codes.

### Procedural Posture:

The Supreme Court, in its decision on the quo warranto case, directed Sereno to explain why she should not be sanctioned for her public remarks under the sub judice rule and for violations of the Code of Professional Responsibility (CPR) and the New Code of Judicial Conduct for the Philippine Judiciary (NCJC). Sereno filed her Compliance with Motion for Inhibition, arguing that her conduct did not amount to actions unbecoming of a justice or lawyer warranting disciplinary measures. The Court denied her motion for inhibition and proceeded to judge the administrative matter.

### Issues:

The primary issues for the Court’s determination were whether Sereno’s actions and public statements concerning the quo warranto case during its pendency constituted violations of the sub judice rule and whether these actions merited disciplinary sanctions under the judicial and professional conduct codes.

### Court’s Decision:

The Supreme Court affirmed that Sereno violated the sub judice rule and provisions of the CPR and NCJC by making public statements that tend to influence the outcome of the case or attack the integrity of the Court and its members. Despite recognizing such violations, the Court opted for leniency, considering her removal from the Chief Justice position under

the quo warranto ruling, her length of service, and her lack of prior administrative offenses. Consequently, instead of suspension from the practice of law, Sereno was reprimanded with a stern warning against repetition of similar offenses.

**### Doctrine:**

The decision reiterates the principle that all members of the Bar and judiciary must uphold the highest standards of professionalism, particularly respecting the conduct of pending cases to maintain the judiciary's integrity and impartiality. It underscores the strict observance required under the sub judice rule and related ethical standards as outlined in the CPR and NCJC.

**### Class Notes:**

- Members of the judiciary and legal profession are subjected to high ethical standards, particularly regarding public commentary on pending cases (sub judice rule).
- Violations of the sub judice rule and ethical standards can result in disciplinary actions, including reprimand, suspension, or disbarment.
- The decision to discipline is guided by the principle of protecting the public, preserving judicial integrity, and maintaining public confidence in the legal and judicial system.
- Judicial leniency may be afforded based on factors such as the individual's previous conduct, length of service, and the unique circumstances of each case.

**### Historical Background:**

This case reflects the tension between the judiciary's need to maintain its proceedings' integrity and the individual rights of free expression. It also illustrates the Supreme Court's role in self-regulation to preserve judicial decorum and respect for legal processes, emphasizing the balance between disciplinary actions and the opportunity for rehabilitation and correction of professional misconduct.