

****Title:**** Marcelino Espejon and Erickson Cabonita vs. Judge Jorge Emmanuel M. Lorredo

****Facts:****

Marcelino Espejon and Erickson Cabonita filed a motion for voluntary inhibition against Judge Jorge Emmanuel M. Lorredo, the presiding judge for Civil Case No. M-MNL-18-08450-SC, arguing that he was biased and influenced by his religious beliefs. The case, an unlawful detainer suit against Espejon and Cabonita, saw allegations by the complainants that during the preliminary conference, Judge Lorredo made prejudging remarks and exhibited bias against their sexual orientation, linking it irrelevantly to the case.

The motion was denied by Judge Lorredo. Subsequently, he issued a decision unfavorable to Espejon and Cabonita, which they appealed. Independently, they filed an administrative complaint against Judge Lorredo, citing breaches of several Canons of the New Code of Judicial Conduct for the Philippine Judiciary. Judge Lorredo defended himself, stating his remarks stemmed from attempting to guide parties towards settlement using Biblical passages, claiming tolerance for his religious inclinations and previous success with using the Bible to settle disputes.

The Judicial Integrity Board (JIB) evaluated and recommended re-docketing the complaint into a regular administrative matter, finding Judge Lorredo guilty of grave misconduct. They advised a P40,000 fine, pointing out that his religious influence and comments on homosexuality during trial were inappropriate and prejudiced.

****Issues:****

1. Whether Judge Lorredo should be held administratively liable.
2. Whether Judge Lorredo's actions amounted to grave misconduct.
3. What the appropriate sanctions for Judge Lorredo's behavior should be.

****Court's Decision:****

The Supreme Court, adopting the findings of the JIB but with modifications, addressed whether Judge Lorredo's actions constituted grave misconduct. It determined that while he violated judicial impartiality, his misconduct did not rise to the level of grave misconduct but constituted conduct unbecoming, simple misconduct, and work-related sexual harassment.

****Conduct Unbecoming and Simple Misconduct:****

The Court reviewed stenographic notes showing Judge Lorredo making inappropriate references to the complainants' sexual orientation, and using the Bible during proceedings.

This violated Canons 1 and 4 of Judicial Conduct focusing on integrity and impartiality, alongside various sections on ensuring equality and propriety.

**** Work-Related Sexual Harassment:****

The Judge's derogatory remarks were classified under sexual harassment according to CSC Resolution No. 01-0940, aimed at preventing discriminatory comments.

**** Sanctions Imposed:****

The Court levied fines on Judge Lorredo: P40,000 for simple misconduct, P10,000 for conduct unbecoming, and suspended him for 30 days without pay for work-related sexual harassment with a stern warning against future infractions.

**** Doctrine:****

1. Canons of Judicial Conduct demand both actual and perceived impartiality.
2. Personal and religious beliefs must not interfere with judicial functions.
3. Judges must avoid inappropriate remarks and ensure propriety in all actions, especially in dealing with sexual orientation or private life details.
4. Repeat offenders may face increased penalties, highlighting the gravity of prior warnings for judicial decorum.

**** Class Notes:****

- **** Elements/Concepts:****
- **** New Code of Judicial Conduct:**** Canons on integrity, impartiality, propriety, and equality.
- **** Work-related sexual harassment:**** Under CSC Resolution No. 01-0940, derogatory remarks about sexual orientation.
- **** Misconduct:**** Divided into simple and gross, the latter entails added elements of corruption or flagrant disregard for the law.
- **** Due process:**** Judicial impartiality must be maintained; perceived bias can undermine confidence in the judiciary.

**** Historical Background:****

This case reflects ongoing efforts to protect judicial impartiality and integrity within the Philippine judiciary. It emphasizes the judiciary's stand against discrimination, ensuring public trust in judicial proceedings. Through enforceable standards and disciplinary actions, it aims to uphold the independence and fairness of judicial conduct, even amidst personal or religious inclinations. This landmark decision continues the trend of enhancing judicial

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accountability and sensitivity to LGBT rights in the Philippines.