

Title: Conrado Y. Ladignon vs. Judge Rixon M. Garong, Municipal Trial Court of San Leonardo, Nueva Ecija, A.M. No. RTJ-03-1796

#### Facts:

The administrative case began with a letter dated July 17, 2006, from Judge Rixon M. Garong of the Municipal Trial Court in San Leonardo, Nueva Ecija, addressed to the Chairman of the Administrative Council at the First United Methodist Church in Michigan, USA. In this letter, Judge Garong included a copy of a letter-complaint from Rolando G. Gustilo of the Banard Kelly Memorial United Methodist Church. The complaint was against Conrado M. Ladignon, criticized for unethically incorporating their church.

Conrado Y. Ladignon subsequently filed a complaint before the Supreme Court Justices, arguing that Judge Garong's use of official court stationery and his title in a private communication was improper conduct for a member of the Judiciary.

Chief Justice Reynato S. Puno referred Ladignon's complaint to Court Administrator Zenaida N. Elepano for appropriate action. Judge Garong, in his response, admitted to using court letterhead but claimed he saw no harm, as he believed he was entitled to use his title. The Court Administrator found Judge Garong's use of court letterhead inappropriate and recommended disciplinary action.

Judge Garong admitted to his actions but argued it was common practice to use office stationery personally. The recommendation from Court Administrator Elepano concluded that Judge Garong had violated Canon 4, Section 1 of the Code of Judicial Conduct by failing to avoid impropriety or its appearance in his activities.

#### Issues:

1. Whether Judge Garong's use of official court letterhead and title in a private matter constitutes improper conduct and a violation of the Code of Judicial Conduct.
2. Whether the circumstances of the act gave rise to an appearance of impropriety, thereby warranting disciplinary action.

#### Court's Decision:

The Supreme Court ruled that Judge Rixon M. Garong's use of official letterhead and his judicial title in personal correspondence did indeed violate the Code of Judicial Conduct. The key point was the appearance of impropriety: Judge Garong's actions could be perceived as carrying the implicit consent or support of the court for his personal cause, especially in light of the potential dispute involved.

1. **Improper Conduct**:

- The use of court letterhead for non-official purposes creates an impression that personal matters have the backing of the judicial office. This misrepresentation of the court's impartial stance is inherently improper.
- Judge Garong crossed the line of propriety by not discerning the potential implications of his actions, especially since they involved a possible conflict.

2. **Appearance of Impropriety**:

- The Court emphasized that judges must avoid both actual impropriety and its appearance to maintain public confidence in the judiciary.
- Even without malicious intent, Judge Garong's actions suggested an unofficial endorsement of the complaint against Ladignon, which needed addressing to preserve the integrity of the judicial office.

As this was Judge Garong's first infraction and given no evidence of bad faith, the Court opted for a more lenient penalty, admonishing him and warning against future misuse of his letterhead and title.

Doctrine:

- **Canon 2 of the Code of Judicial Ethics**: Judges must avoid impropriety and the appearance of impropriety in all activities.
- **Rule 2.03 of the Code of Judicial Conduct**: Judges shall not use the prestige of their office to advance personal interests.

Class Notes:

- **Canon 4, Section 1**, and **Canon 2, Rule 2.03 of the Code of Judicial Conduct** require judges to avoid impropriety or its appearance.
- Using official stationery for personal affairs can suggest undue influence or bias.
- Judges must consistently uphold the dignity and impartiality of their office both in professional and personal conduct.
- Case citations: *Rosauro v. Kallos*, A.M. No. RTJ-03-1796; *Dionisio v. Escaño*, A.M. No. RTJ-98-1400.

Historical Background:

The case underpins the judiciary's ongoing commitment to maintaining ethical standards. It highlights the importance of separating personal actions from judicial conduct to preserve the public trust in the impartiality and integrity of the judicial system, a principle deeply

A.M. No. MTJ-08-1712 (Formerly OCA IPI No. 08-2020-MTJ). August  
rooted in the history of judicial ethics and practices. 20, 2008 (Case Brief / Digest)