

Title: Muring v. Gatcho, et al.

Facts:

1. ****Initiation of the Complaint****: On February 28, 2003, Atty. Victoriano S. Muring, Jr., a former court attorney at the Court of Appeals, filed a Complaint-Affidavit before the Supreme Court against Atty. Manuel T. Gatcho, Nelpa Lota-Calayag, and Atty. Edna S. Paña. Muring alleged that Gatcho and Calayag, who were co-employees, demanded and received P450,000 from Atty. Paña to facilitate a favorable decision from Court of Appeals Justice Roberto Barrios in a case Paña was handling. Additionally, they purportedly demanded P150,000 for a favorable decision from Supreme Court Justice Jose A. R. Melo.
2. ****Admissions and Threats****: Details emerged from a meeting in October 2002 at Café Breton, Manila, where Atty. Paña allegedly disclosed the receipt of the P450,000 to Muring and Atty. Ma. Paz Besonaya. Muring claimed that Calayag admitted the receipt of money in his presence on October 29, 2002. Subsequently, Muring received threatening text messages from Paña, pressuring him against reporting the matter.
3. ****Performance and Termination****: Despite receiving a “very satisfactory” performance appraisal for the latter part of 2002, Muring faced termination following reports of verbal abuse from Gatcho and Calayag, as instructed by Justice Abesamis on February 19, 2003.
4. ****Judicial Hearing****: Upon Appeal, Acting Presiding Justice of the Court of Appeals, Cancio Garcia, encouraged Muring to expose the malpractice. The Supreme Court then required respondents to submit comments on March 18, 2003. Calayag and Gatcho filed their responses denying the allegations, with Calayag suggesting Muring spread rumors about her family, and Gatcho surmising Muring’s termination was due to these rumors.
5. ****Additional Evidence and Affidavits****: On July 17, 2003, Muring submitted affidavits to counter allegations of incompetence, including testimonies from Atty. Donna B. Pascual and Atty. Ma. Paz Besonaya which supported Muring’s claims about the alleged pay-offs.
6. ****Investigation by Justice Sundiam****: Justice Edgardo F. Sundiam was assigned to investigate the case, beginning hearings on October 16, 2003. Despite Atty. Paña’s absence due to her being in the UK, her affidavit reiterated her defense against the allegations.
7. ****Investigative Findings****: Justice Sundiam’s April 19, 2005 report favored Muring’s depiction of events, backed by the corroborating testimonies of Pascual and Besonaya. He

recommended that Gatcho and Calayag forfeit government benefits and be barred from future government employment.

Procedural Posture: The Supreme Court exercised its original jurisdiction to investigate, acting on its authority to regulate the conduct of members of the legal profession and its employees.

Issues:

1. Did Atty. Gatcho and Calayag demand and receive P450,000 from Atty. Paña to influence a favorable decision from Court of Appeals Justice Roberto Barrios?
2. Did Atty. Gatcho and Calayag demand P150,000 from Atty. Paña to influence a favorable decision with Supreme Court Justice Melo?

Court's Decision:

- **First and Second Issues:** The Supreme Court found insufficient evidence to uphold the allegations of corruption against Gatcho and Calayag. The claims were primarily based on hearsay as neither Muring nor Besonaya had direct personal knowledge of the pay-offs.
- **Administrative Liability of Atty. Paña:** The Supreme Court found Atty. Paña guilty of recklessly spreading information regarding the alleged "pay-off", damaging the judiciary's integrity. As a result, she was suspended from law practice for three months.
- **Additional Findings:** The Court found Atty. Gatcho guilty of filing petitions for notary commissions while employed as a court attorney, contrary to judicial rules prohibiting private practice. Complainant Muring was admonished for engaging in unauthorized private practice as a court attorney.

Doctrine:

- **Substantial Evidence in Administrative Cases:** The necessity of substantial evidence, rather than mere allegations or hearsay, to sustain charges in administrative cases was reinforced.
- **Prohibition of Private Practice by Government Lawyers:** The Court reiterated that government lawyers are forbidden from engaging in private practice to prevent conflicts of interest and maintain public confidence in the judiciary.

Class Notes:

- **Hearsay Evidence**: Lacking personal knowledge, relying on hearsay does not meet the required burden of substantial evidence.
- **Engagement in Private Practice**: Section from Cayetano v. Monsod establishes practicing law includes acts requiring legal knowledge or skill, which government employees must avoid.

Historical Background:

The case underscores the perennial concern within the Philippine judiciary of maintaining high standards of conduct among its members to prevent any perception of corruption or unethical behavior, particularly significant given the judicial reforms and integrity measures initiated during the early 2000s.