

****Title:**** Re: Anonymous Complaint Against Judge Edmundo T. Acuña ²⁰⁰⁵ (Case Brief / Digest)

****Facts:****

1. On November 21, 2003, the Office of the Court Administrator (OCA) received a letter dated November 3, 2003 from “Concerned citizens of the lower court” reporting alleged misconduct by Judge Edmundo T. Acuña of the Regional Trial Court, Caloocan City, Branch 123.
2. The complainants claimed Judge Acuña conducted trials, signed orders, and sentenced accused persons while on official leave from August 15, 2001, to September 15, 2001. Cases included:
 - Crim. Case No. C-63250: People v. Alex Sabayan
 - Crim. Case No. C-63261-62: People v. Renato Simo
 - Crim. Case No. C-61323: People v. Elizabeth Canaberal
 - Crim. Case No. C-63238: People v. Narciso Asistio, et al.
 - Crim. Case No. C-63238: People v. Marlon Duritan.
3. The letter alleged that Judge Acuña behaved inappropriately, using expletives such as “putris” and “putang ina” both publicly and privately.
4. Judge Acuña contested these allegations in his written comment, citing bereavement from personal family losses as a reason for his behavior and explaining that improper motive spurred the anonymous complaint.
5. Regarding the allegation of conducting work during leave, Judge Acuña claimed that although he was granted a travel authority and an approved leave, he stayed back due to personal reasons and confirmed working on August 21, 2001, presiding over certain criminal cases.
6. The OCA, in its evaluation, confirmed he worked on August 21, 2001, which was the first day of his approved leave, resulting in a recommendation for Judge Acuña to be reprimanded for ignorance of the policy on leave expressed in a past ruling (Paz v. Tiong).
7. In a Resolution dated December 8, 2004, the case was referred to Court of Appeals Associate Justice Monina Arevalo-Zeñarosa for investigation.
8. Following an investigation, Justice Arevalo-Zeñarosa recommended dismissing the complaint for lack of merit, recognizing there was no apparent malicious intent by Judge

****Issues:****

1. Whether Judge Edmundo T. Acuña committed impropriety by working during his official leave.
2. Whether the expressions and behavior exhibited by Judge Acuña were appropriate for his role as a judge.

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

1. ****Impropriety of Work During Leave:****

- The Supreme Court agreed with the Investigating Justice that approved leaves are formal and should be respected. Although Judge Acuña believed he could defer his leave due to non-malicious reasons, his action of presiding over cases on August 21, 2001, was improper. As a result, Judge Acuña was reprimanded for this behavior.

2. ****Use of Expletives and Behavior:****

- The Court acknowledged the use of indecorous language and the importance of maintaining propriety. Despite the lack of malice or improper motive in Judge Acuña's words, his use of such language was deemed inappropriate given his position. He was reminded of the need for judges to uphold the dignity of their office.

****Doctrine:****

The decision reiterates that judicial conduct should be free of impropriety and the appearance of propriety in all activities, especially in terms of compliance with procedural rules like official leave and decorum. A judge should consistently exhibit conduct befitting the dignity of their office, even in private life.

****Class Notes:****

- ****Judicial Conduct:**** A judge must always promote public confidence in judiciary integrity and impartiality, demanding propriety and the appearance of propriety.
- ****Leave of Absence:**** Unapproved, self-deferred leaves by judges risk invalidating orders and actions taken during such periods.
- ****Propriety and Language:**** The use of language by judges is scrutinized to maintain the judiciary's dignified image.

****Historical Background:****

This case is situated in the broader judicial context of maintaining professional conduct codes and procedural rules for judges in the Philippines. It addresses the balance between personal circumstances and professional duties essential to uphold the judiciary's respectability and public perception. The importance of maintaining judicial propriety, even amid personal challenges, has been a consistent theme in Philippine administrative law concerning the judiciary.