

Title: Benancillo v. Amila

Facts:

- Lydia A. Benancillo filed a Verified Complaint against Judge Venancio J. Amila for grave abuse of discretion, gross ignorance of law and procedure, rendering unjust judgment, partiality, and impropriety in Civil Case No. 7268. This was a case for Temporary and Permanent Protection Orders under Republic Act No. 9262, involving her live-in partner, Paul John Belot.
- Initially, Branch 1 of RTC Tagbilaran City, acting as the Family Court, issued a Temporary Protection Order (TPO) against Belot, which included directives relating to personal effects and business properties.
- Belot filed a motion for reconsideration of the TPO. Meanwhile, business partners Paz Mandin Trotin and Christopher Mandin sought intervention.
- Benancillo opposed the intervention and prayed for a preliminary injunction.
- Sp. Civil Case No. 7268 was transferred to Branch 2 of RTC Tagbilaran City, presided by Judge Amila, upon designation as the new Family Court. Judge Amila denied Belot's motion for reconsideration and the intervenors' motion, reiterating this in an order on August 14, 2007.
- The intervenors' motion for reconsideration was denied on October 2, 2007, but judge Amila failed to enforce the TPO.
- Judge Amila called a meeting on October 9, 2007. Benancillo and her counsel abstained from attending due to the presence of intervenors.
- Following a meeting with the intervenors, Judge Amila rescinded his October 2, 2007 order on October 18, 2007, and denied Benancillo's motion for reconsideration on October 25, 2007.
- Throughout the procedural stages, Benancillo asserted that Judge Amila demonstrated bias and impropriety, particularly in how he rescinded orders without motions from parties and factually unsupported claims.
- Judge Amila's comments referred to Benancillo with derogatory terms and alleged manipulation, citing concerns over her intentions due to their "illegitimate" relationship.

Procedural Posture:

- Benancillo filed an administrative complaint against Judge Amila. The Office of the Court Administrator (OCA) reviewed it and prepared a report, finding Judge Amila acted inappropriately in some respects.
- They noted premature allegations of gross ignorance of the law but cited impropriety related to his conduct and language.

- The OCA recommended redocketing the case as a regular administrative matter and fining Judge Amila P10,000 for impropriety and unbecoming conduct.

#### Issues:

1. Whether Judge Amila committed impropriety and conduct unbecoming of a judge.
2. Whether Judge Amila's remarks and conduct in the courtroom, including calling an unscheduled meeting with intervenors, violated judicial codes of conduct.
3. Whether the dismissal of orders and oscillation on legal decisions indicate gross ignorance of the law or procedural error warranting sanctions.

#### Court's Decision:

- The Supreme Court adopted the OCA's findings: Judge Amila was found guilty of conduct unbecoming of a judge, citing breaches under Canon 4, Sections 1 and 6 of the New Code of Judicial Conduct.
- Judge Amila was fined P21,000, taking into account previous sanctions for gross ignorance of the law in unrelated cases.

#### Doctrine:

- Judges must observe propriety and the appearance of propriety in activities to maintain judicial dignity.
- Judges' actions, both inside and outside the courtroom, should reinforce impartial and ethical judicial conduct, avoiding any appearance of bias or partiality.

#### Class Notes:

- Key Principles: Propriety and impartiality (Canon 4 of the New Code of Judicial Conduct), family court sensitivity under R.A. 9262.
- Canon 4, Sections 1 and 6 remind of the necessity for appropriate judicial expression and restraint.
- Judges must rectify errors with prior notice to affected parties, maintaining procedural integrity.

#### Historical Background:

- Contextually set within the framework of the Anti-Violence Against Women and Their Children Act (R.A. 9262).
- Reflects heightened expectations of judicial conduct in family court matters, acknowledging domestic partnership complexities and gender sensitivity issues.
- Reinforces the evolving scrutiny on judges' adherence to ethical standards amidst societal

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changes in gender relations and legal protection for partners outside traditional marriage.