

****Title:**** Anonymous v. Judge Rio C. Achas, Administrative Complaint for Immorality and Conduct Unbecoming

****Facts:****

1. On August 2, 2010, an anonymous letter-complaint was filed against Judge Rio C. Achas, presiding judge of the Municipal Trial Court in Cities, Branch 2, Ozamiz City. The letter alleged immorality and conduct unbecoming of a judge, claiming it was public knowledge that Judge Achas was living with a woman not his wife, living beyond his means, involved in illegal activities with “kuratongs,” coming to court untidy, deciding cases for material gain, and involved in gambling.
2. The Office of the Court Administrator (OCA) referred the matter to Executive Judge Miriam Orquieza-Angot for discrete investigation.
3. On November 26, 2010, Judge Angot reported Judge Achas was separated from his wife, was seen in public with another woman, but found allegations of illegal activities unsubstantiated. She noted no clear evidence that Judge Achas engaged in gambling, but observed his personal hygiene matters as subjective.
4. In his defense, Judge Achas denied all allegations, attributing them to election-related harassment, asserting loyalty in his 28-year service tenure.
5. Following a December 14, 2011 Resolution, the case was re-docketed and referred to the Executive Judge of the Regional Trial Court of Ozamiz City for detailed investigation.
6. Executive Judge Salome P. Dungog conducted hearings, where Judge Achas and his witnesses testified, with the anonymous complainant not appearing.
7. Judge Achas admitted being estranged from his wife and engaging in leisure cock-rearing but denied accusations of immorality and gambling involvement.
8. The OCA, on December 17, 2012, recommended reprimanding Judge Achas for immorality and warning against gambling-related activities. Other charges were dismissed for lack of evidence.

****Issues:****

1. Whether Judge Achas is guilty of immorality by engaging in public conduct with a woman not his wife.
2. Whether Judge Achas’s involvement in cock-rearing constitutes conduct unbecoming a

judge.

3. Whether the additional allegations of living beyond means, dirty appearance, and unfair case decisions have merit.

Court's Decision:

1. **Immorality:** The Supreme Court found Judge Achas guilty of immorality, as public perception mattered, even though no direct evidence confirmed rumors. His actions violated the New Code of Judicial Conduct's integrity and propriety canons.

2. **Cock-rearing:** The Court did not find substantial evidence of illegal gambling. However, it was noted that engaging in such activities could harm judicial respect and should be avoided by a judge.

3. **Other allegations:** The charges of living beyond means, untidiness, and unfair adjudication were dismissed due to lack of evidence.

Judge Achas was reprimanded, fined PHP 5,000, and sternly warned against future misconduct.

Doctrine:

The case reinforces that the judiciary must maintain high ethical standards, emphasizing that integrity is vital to a judge's role, and public perception of propriety is crucial. Personal activities should not impair judicial dignity.

Class Notes:

- **Judicial Ethics:** Importance of maintaining integrity and public perception of propriety. Canon 2 and 4 of the New Code of Judicial Conduct highlight the need for judges to avoid impropriety and its appearance.

- **Administrative Proceedings:** Anonymous complaints are valid but must rely on indubitable public records or evidence.

- **Sanctions:** Unbecoming conduct by judges can lead to reprimanding, fines, and future warnings.

Historical Background:

This case reflects ongoing efforts in the Philippine judiciary to uphold ethical standards within its ranks, representing a broader historical context where accountability of public officials, especially in the judiciary, remains a priority. The judiciary traditionally requires individuals to maintain both the appearance and reality of integrity, reflected in how

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powerful roles must withstand public scrutiny.