

PROSECUTOR LEO T. CAHANAP, COMPLAINANT, V. JUDGE LEONOR S. QUIÑONES, REGIONAL TRIAL COURT, BRANCH 6, ILIGAN CITY, LANA O DEL NORTE, RESPONDENT.

A.M. No. RTJ-16-2470 (Formerly OCA IPI No. 12-3987-RTJ). January 10, 2018

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/519bad91f9bc/>

CAGUIOA, J:

Complainant Prosecutor Leo T. Cahanap (Complainant) filed the instant administrative complaint on October 30, 2012, charging respondent Judge Leonor S. Quinones (respondent Judge) with Gross Ignorance of the Law, Gross Misconduct and violation of the Code of Judicial Conduct for the following alleged acts of respondent Judge:

First, Complainant alleged that in his last two (2) years as a prosecutor in Branch 6, he suffered unbearable and intolerable oppression in the hands of respondent Judge.[1]

In the case of *People v. Inot*, docketed as Criminal Case No. 6-15566, respondent Judge got angry and objected to the leading questions asked during complainant's re-direct examination, notwithstanding the fact that no objections were raised by the defense counsel.[2]

In the case of *People v. Badelles*, docketed as Criminal Case No. 06- 15405, respondent Judge issued an order blaming complainant for the failure of the forensic chemist to bring the chemistry reports for the other accused in the case because complainant did not sufficiently specify the chemistry reports due to the court.[3] In the same case, respondent Judge gave complainant a lecture on the proper demeanor and conduct in court while he was making a formal offer of a testimony, causing extreme embarrassment to complainant.[4]

Complainant asserted that the prosecutors, who previously appeared before respondent Judge, opted to be assigned to other courts as they too experienced humiliation and harsh treatment from her. Further, respondent Judge's staff themselves were subjected to respondent Judge's insolent behavior.[5]

Second, Complainant further accused respondent Judge of habitual tardiness which delayed the start of court sessions, usually at 9:30 or 10:00 in the morning, earning for her sala the monicker "Branch 10." [6]

Third, in the proceedings for the case of *People v. Heck* (Heck Case), docketed as Criminal Case Nos. 15144, 15149, 15151 and 15153 for Estafa, pending before respondent Judge's sala, respondent Judge, in open court and heard by the public, asked private complainant, Hanna Mamad, to go to her house because she was interested in buying jewelry items from her.[7]

Respondent Judge ordered her staff to provide Mamad with directions to her house.[8] Complainant averred that when he called Mamad on September 13, 2012, Mamad confirmed that respondent Judge bought jewelry from her. Court personnel have also testified that respondent Judge showed off the jewelry she bought from Mamad.[9]

Fourth, in proceedings in the case of *People v. Macapato* (Macapato Case), docketed as Criminal Case No. 16089 for Attempted Murder, respondent Judge issued an Order dated June 18, 2012, directing the release of accused Dimaampao's vehicle despite the prosecution's written opposition on the ground that the vehicle has yet to be

presented as evidence in court and has yet to be formally offered before the court could acquire jurisdiction.[10]

Respondent Judge immediately set accused's subject motion for the release of accused Dimaampao's vehicle for hearing a day after it was filed, in violation of the three-day notice rule.[11] The Transcript of Stenographic Notes (TSN) of the hearing revealed that respondent Judge showed her bias and practically acted as defense counsel, prompting the prosecution to move for the inhibition of respondent Judge.[12]

Fifth, in the case of *People v. Tingcang* (Tingcang Case), docketed as Criminal Case No. 6-6115 for Murder, respondent Judge dismissed the case provisionally without prejudice to its refiling upon the availability of the prosecution's witnesses on the ground of speedy trial.[13] The prosecution lamented that the delay in the proceedings was due to the absence of the accused who has been in hiding since 1996.[14]

Sixth, in the case of *People v. Casido* (Casido Case), docketed as Criminal Case No. 6-16034, respondent Judge dismissed a complaint for Attempted Murder due to the absence of a fatal wound on the victim, which the prosecution believed to be misplaced in an information for Attempted Murder.[15]

Seventh and lastly, complainant averred that respondent Judge also mistreated her court staff. On July 29, 2011, respondent Judge allegedly shouted at a court stenographer, and called her "bogo" which meant dumb.[16]

Respondent Judge berated another stenographer and shouted at the latter "punyeta ka"[17] and "buwisit ka"[18].

Comment dated January 12, 2013 of respondent Judge

Respondent Judge, in her Comment dated January 12, 2013, denied that she maltreated the prosecutors assigned to her sala. In support thereof, she submitted the following documents:

1)

Certification[19] dated January 3, 2013 issued by OIC-Provincial Prosecutor Diosdado D. Cabrera, stating that Prosecutor Macacuna B. Macadatu requested for transfer for security reasons, not due to respondent Judge's maltreatment;

2)

Letter[20] dated March 22, 2011 to former Secretary Leila M. De Lima by Prosecutor Macacuna B. Macadato, requesting for transfer of assignment from Iligan City to the Prosecutor's Office in Marawi City, due to a threat to his life;

3)

Affidavit[21] dated December 18, 2012 executed by Prosecutor Mangontawar M. Gubat, proving that he declined to be the trial prosecutor in respondent Judge's sala for health reasons, not due to the insolent behavior of respondent Judge; and

4)

Joint Affidavit[22] dated January 3, 2013 by Public Attorneys Nur Jaypha R. Bacaraman and Rashid A. Macarimbang, attesting that their re-assignment or subsequent transfer to other branches of the RTC in Iligan City is a matter of policy in their office, with due consideration to the caseloads of individual lawyers in the district or the balancing of work assignment, not due to the reported misbehavior of respondent Judge.

Relative to the Heck Case, respondent Judge denied having asked jewelry from Mamad, the private complainant in the subject case.[23]

Respondent Judge reasoned that she immediately acted on the motion of the defense in the Macapato Case because an urgent motion is exempted from the three-day notice rule. She maintained that the motion was granted and was issued in good faith in the performance of judicial functions.[24]

Respondent Judge also insisted that her order of dismissal in the Tingcang Case was issued in good faith in the performance of her judicial functions.[25]

Respondent Judge admitted her mistake in the Casido Case, averring that the finding of lack of probable cause on the basis of absence of a 'fatal injury' was an error but an error of judgment made in good faith.[26]

In response to the allegation that she unduly interfered in the court proceedings, respondent Judge explained that she merely reminded lawyers of the purpose of enforcing the rules and to elicit evidence with sufficient probative value to help in the search for truth. She maintained that she was just helping the prosecution and/or lawyers to propound questions to the witnesses whenever she found it necessary to clarify matters.[27]

On her alleged offensive and disrespectful attitude towards her staff, respondent Judge denied being oppressive to her staff. She claimed that she merely rebuked or admonished them in the exercise of her supervisory authority.[28]

Respondent Judge also admitted arriving late to court but denied that her tardiness was often or habitual. Assuming *arguendo* that she was habitually late, she countered that her sixty percent (60%) disposal rate of cases assigned to her from June 2010 to November 2012 would refute the issue of punctuality hurled against her.[29]

OCA Resolution dated October 9, 2014

The Office of the Court Administrator (OCA) recommended that the charges against respondent Judge relative to the issuance of the (1) Order dated June 18, 2012 in the Macapato Case, (2) Order dated June 18, 2012 in the Tingcang Case for the dismissal of the case on the ground of violation of the accused's right to speedy trial, and (3) Order relative to the Casido Case, dismissing the same for lack of probable cause, be dismissed for involving issues judicial in nature which are beyond the purview of an administrative proceeding.[30]

The OCA reasoned that a party's remedy, if prejudiced by the orders of a judge given in the course of a trial, lies with the proper reviewing court, not with OCA by means of an administrative complaint.[31] It must be understood that the statutory mandate of the OCA extends only to the administrative supervision over court officials and personnel and does not include the authority to interfere with the judicial prerogatives of a judge to try and resolve a case and its pending incidents. For the OCA to review the merits underlying each decision and order issued by respondent Judge would result in a re-evaluation of his exercise of his judicial discretion which is definitely beyond the OCA's authority. These are clearly matters for judicial adjudication.[32] It has been stressed that questions judicial in nature ought to be threshed out in a judicial proceeding and definitely not in an administrative one.[33]

With respect however to the other charges, pertaining largely to the demeanor of respondent Judge, the OCA found that the same appear to be serious.[34] However, because of the conflicting versions presented by the parties, there exist factual issues that cannot be resolved merely on the basis of the records at hand, and can be ventilated only in a formal investigation where the parties can adduce their respective evidence.[35]

The OCA thus recommended that the remaining charges filed against respondent Judge be referred to the Executive Justice of the Court of Appeals, Cagayan de Oro City, for raffle among the Justices thereat for

investigation, report and recommendation within sixty (60) days from receipt of the records.[36]

In a Resolution[37] dated February 11, 2015, the Third Division of the Court adopted the recommendations of the OCA.

Complainant filed a Motion for Reconsideration of the OCA's Report dated October 9, 2014, which was denied by the Court in a Resolution[38] dated July 1, 2015.

Report dated July 13, 2015 of Investigating Justice Maria Filomena D. Singh

Investigating Justice Maria Filomena D. Singh (Investigating Justice) recommended that respondent Judge be held administratively liable for Oppression with a fine of P40,000.00 and Habitual Tardiness with a fine of P20,000.00.[39]

The Investigating Justice also recommended that respondent Judge be transferred to a different court considering the irretrievably strained relations between respondent Judge and the court staff;[40] and that the names of certain witnesses be blocked from the decision that the Court will render in this case.[41]

The testimonies of the court staff witnesses and the Branch Clerk of Court uniformly pointed to the habitual tardiness of respondent Judge in coming to work and holding court hearings, which they consistently testified to as generally starting between 9:00 and 9:30 in the morning.[42] In the judicial affidavit of complainant, he attested that during his time as the public prosecutor in respondent Judge's sala, respondent Judge started court hearings at 9:30 a.m., instead of 8:30 a.m.[43] The successor of complainant, Assistant City Prosecutor Diaz, also confirmed that respondent Judge commenced court sessions between 9:30 a.m. and 10:00 a.m.[44]

The testimonies of court staff witnesses also revealed that respondent Judge does not want to indicate in the Minutes of the Proceedings the actual time court sessions start. A court staff testified that one of the court's casual employee was once reprimanded by respondent Judge when she wrote in the Minutes of the Proceedings that the actual time of arrival of respondent Judge was 9:30 a.m..[45] The Branch Clerk of Court even admitted under oath that the Minutes of the Hearings and Notices indicate that court hearings start at 8:30a.m. instead of the actual time the hearings commenced.[46]

Although the Minutes of the Proceedings in her court reflect that respondent Judge start court sessions regularly at 8:30 a.m., the uniform testimonies of the witnesses regarding respondent Judge's habitual tardiness, despite the risk of being held administratively and criminally liable, constitute substantial evidence to hold respondent Judge liable.[47]

On the charge of Oppression, the Investigating Justice found that respondent Judge failed to show compassion, patience, courtesy and civility to lawyers who appear before her in contravention of the mandates of the New Code of Judicial Conduct which sets the high standards of demeanor before all judges must observe.

Respondent Judge displayed antagonistic behavior towards Atty. Basher Macapado, who appeared as defense counsel in Criminal Case Nos. 15539, 15540 and 15541, during the hearing on May 14, 2012:

COURT:

Atty. Macapado, during the last hearing, it was Atty. Plando who appeared. These were already testified by this witness. Next time, if you intend to do your cross-examination you better appear so you will not be wasting the court's time and these were already testified to by the witness. Where is Atty. Plando?

ATTY. MACAPADO:

He is out of town Your Honor. As far as this is concerned Your Honor, this was not testified to by this witness.
COURT: It is your question (Presiding Judge banging the gavel). What is your question before this?

ATTY. MACAPADO:

I am asking about the confirmatory test.

COURT:

That was testified already. Listen! (banging the gavel again and raising her voice).

ATTY. MACAPADO:

That was testified (interrupted)

COURT:

You listen! (banging the gavel again)

ATTY. MACAPADO:

Yes Your Honor, I am listening.

COURT:

I will contempt you. That was already taken during the last hearing when Atty. Plando appeared and this time you were asking the same question.

ATTY. MACAPADO:

Yes Your Honor because what this witness have testified is about confirmation and this object was not presented to the court Your Honor.

COURT:

You are out of order Atty. Macapado. Next time before you appear you ask Atty. Plando a copy of the previous transcript so that there will be no redundancy. Have you read or are you aware?

ATTY. MACAPADO:

Yes Your Honor because the two of us appeared.

COURT:

Are you sure of that?

ATTY. MACAPADO:

Yes Your Honor.

COURT:

But that was already taken during the last hearing.

ATTY. MACAPADO:

I am only asking the witness about this object Your Honor and this was not presented during the last hearing.

COURT:

But you were asking, what IS confirmatory test and that was already taken.

ATTY. MACAPADO:

Yes Your Honor because she mention it now.

COURT:

Proceed now.[48]

Through the filing of a Manifestation, Atty. Macapado apologized to the court for the incident which happened during the hearing on May 14, 2012 but prayed for respondent Judge to extend a little respect to all lawyers who appear before her court in the presence of their respective clients and other litigants.[49]

As evidenced by the TSN taken on January 25, 2011, respondent Judge also engaged in an argument in open court with a certain Atty. Gerardo Padilla who appeared as defendants' counsel in Civil Case No. 06-7010.[50] Atty. Padilla found the behavior of respondent Judge antagonistic[51] which led to the exchange of words between respondent Judge and Atty. Padilla who was prompted to utter the words "xxx you can do your worst and I will do my best"[52] to respondent Judge, maintaining civility towards the court despite the exchange.

Complainant and Assistant City Prosecutor Diaz also experienced the same antagonistic and hostile behavior from respondent Judge which caused them embarrassment in open court as shown in the TSNs submitted by complainant. Complainant was scolded by respondent Judge in open court on September 10, 2012 for his failure to properly address the court.[53] On November 4, 2014, ACP Diaz felt humiliated when respondent Judge admonished her also in open court because respondent Judge felt displeased with ACP Diaz's reaction and alleged disrespectful behavior which led ACP Diaz to cry and made her unable to continue with the presentation of her witness.[54]

The Investigating Justice reasoned that if respondent Judge felt that complainant or any other lawyer must be admonished for his/her behavior or unpreparedness in court, respondent Judge could have called them privately to approach the bench or even in chambers to scold him/her, but certainly not to embarrass them in front of their clients and other litigants as the same may also cause shame to the court, if an argument ensues, and will directly affect the professional and personal lives of all involved. These incidents highlighted respondent Judge's lack of temperance and self-restraint which taints her impartiality in making decisions in the eyes of the public.[55]

To make matters worse, respondent Judge also exhibited conduct unbecoming of a judge when she shouted at a court staff in her chambers while correcting the court staffs draft orders which she dictated in open court and called the court staff, "bogo ba nimo" (you are dumb or stupid).[56] Although respondent Judge and the court staff were alone in the chambers, the court staff felt humiliated as she was berated for fifteen (15) minutes and she cried when she went to the staff room.[57]

Another court staff also experienced being berated and humiliated by respondent Judge. In correcting the court staffs eleven (11) draft orders, respondent Judge humiliated her by repeatedly pointing at her mistakes in an elevated voice in the presence of a friend of respondent Judge, who happened to be a party in a civil case pending before their court.[58] Nearly in tears, the court staff went out of the chambers and told her co-workers that she would no longer help in drafting orders in bail bond applications so she could concentrate on her drafts.[59]

Respondent Judge found court staffs reaction to be improper, so respondent Judge followed her to the staff room and continued to scold her in front of the other staff members, and even called for an emergency staff meeting[60] where respondent Judge even called the court staff "punyeta ka, buwisit ka" in front of the other staff.[61]

The Investigating Justice emphasized in her Report that judges are expected to observe courtesy and civility at all times in addressing lawyers, litigants and witnesses appearing in his/her sala[62] considering that judges must act beyond reproach to maintain the court's integrity and public confidence in the judicial system.[63]

The Investigating Justice also said that respondent judge's belligerent, oppressive and tyrannical behavior towards her court staff and lack of courtesy, civility and self-restraint towards lawyers and litigants during court hearings cannot be treated with leniency. The Investigating Justice added that public confidence in the judiciary must be maintained and the tenets on the first duty of judges to conduct themselves beyond reproach must be safeguarded.[64]

OCA Report dated October 26, 2015

The OCA, in their Report dated October 26, 2015, agreed and adopted the findings of the Investigating Justice.

Apart from Complainant, three (3) court staff testified to the habitual tardiness of respondent Judge who began the court hearings between 9:00 a.m. and 9:30 a.m.[65] A former assistant City Prosecutor also confirmed that she commenced court sessions at the said time.[66] The testimonies of her staff also revealed that she did not want to indicate in the Minutes of the Proceedings the actual time when court sessions started.[67] It was also revealed that a casual employee was once reprimanded by respondent Judge when the employee wrote in the Minutes that the actual time of arrival of respondent Judge was 9:30a.m., as corroborated by the testimony of another court staff.[68]

Respondent Judge unquestionably failed to observe the prescribed official hours as repeatedly enjoined by the Court.[69] She admitted being late "sometimes" in arriving to the court and beginning the court hearings as rebuffed by contrary evidence.[70] Facing the risk of being administratively and criminally held liable, respondent Judge's own branch clerk of court even bravely testified that court sessions commenced between 9:00a.m. and 10:00 a.m. although the Minutes of the Proceedings reflected the time at 8:30 a.m..[71]

The OCA also found that respondent Judge failed to show compassion, patience, courtesy and civility to lawyers who appear before her in contravention of the mandates of the Code of Judicial Ethics, which sets the high standards of demeanor all judges must observe.[72]

The OCA pointed out that one significant aspect that became apparent during the investigation is respondent Judge's competence in the performance of her duties.[73] True, she was exonerated in the instant complaint because the issues raised were judicial in nature and in another case for grave abuse of discretion, dishonesty and partiality for lack of merit.[74] But, as testified to by witnesses, respondent Judge did not personally prepare the court's orders, resolutions and decisions; she did not know the details of some cases before her; and she does not possess proficiency in English.[75] Yet, respondent Judge remained intractable and would not own up to her mistakes and shortcomings.[76]

The OCA held that respondent Judge violated the Code of Judicial Conduct for her repeated acts of oppression against lawyers and court staff (gross misconduct) which constitute serious charge pursuant to Rule 140, Section 8 of the Revised Rules of Court punishable by dismissal, suspension from office for more than three (3) to six (6) months or a fine of more than P20,000.00 to P40,000.00.[77]

The OCA also held that respondent Judge is also guilty of habitual tardiness which is a less serious charge

sanctioned by either suspension from office for not less than one (1) nor more than three (3) months or a fine of more than P10,000.00 but not exceeding P20,000.00.[78]

The OCA noted that the penalties that may be imposed on respondent Judge may be mitigated by her being a first offender as she has never been previously sanctioned.[79] She has also offered her apology.[80] One staff member said that she would sometimes show motherly care and compassion towards her staff.[81] Further, her "temper explosions" are no longer as frequent as before.[82]

Anent Justice Singh's recommendation that respondent Judge be transferred to a different court considering the strained relations between respondent Judge and the court staff, the OCA recommended that respondent Judge be given a fair chance to change her unpleasant attitude and behavior.[83] The OCA averred that, with this present administrative case, her court staff have now become emboldened and are no longer afraid to speak up.[84] They can easily initiate another complaint against respondent Judge if circumstances warrant.[85] As a deterrent against future abuses, the OCA proposed that a periodic report be submitted to the OCA to apprise the OCA of any untoward incident involving respondent Judge in her dealings with her court staff and the public.[86]

The Court's Ruling

The Court agrees with the findings of the OCA.

The Court has time and again reminded the members of the bench to faithfully observe the prescribed official hours to inspire public respect for the justice system. It has issued Supervisory Circular No. 14 dated October 22, 1985, Circular No. 13 dated July 1, 1987, and Administrative Circular No. 3-99 dated January 15, 1999 to reiterate the trial judges' mandate to exercise punctuality in the performance of their duties.

Section 5 of Supervisory Circular No. 14 issued by the Court on October 22, 1985 states:

5. Session Hours. - Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts shall hold daily sessions from Monday to Friday, from 8:30 to 12:00 noon and from 2:00 to 4:30 p.m. assisted by a skeletal force, also on rotation, primarily to act on petitions for bail and other urgent matters. (Emphasis supplied)

Circular No. 13 dated July 1, 1987 entitled, "Guidelines in the Administration of Justice" provides that:

Guidelines for Trial Courts

xxxx

- Punctuality and strict observance of office hours. - Punctuality in the holding of scheduled hearings is an imperative. Trial judges should strictly observe the requirement of at least eight hours of service a day, five hours of which should be devoted to trial, specifically from 8:30 a.m. to 12:00 noon and from 2:00 to 4:30 as required by par. 5 of the Interim Rules issued by Supreme Court on January 11, 1983, pursuant to Sec. 16 of BP 129. (Underscoring in the original)

Administrative Circular No. 3-99 dated January 15, 1999 entitled, "Strict Observance of Session Hours of Trial Courts and Effective Management of Cases To Ensure Their Speedy Disposition," reiterates the mandate for trial judges to exercise punctuality in the performance of their duties, thus:

To insure speedy disposition of cases, the following guidelines must be faithfully observed:

I.

The session hours of all Regional Trial Courts, Metropolitan Trial Courts, Municipal Trial Courts in Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts shall be from 8:30A.M. to noon and from 2:00

P.M. to 4:30 P.M., from Monday to Friday. The hours in the morning shall be devoted to the conduct of trial, while the hours in the afternoon shall be utilized for (1) the conduct of pre-trial conferences; (2) writing of decisions, resolutions or orders, or (3) the continuation of trial on the merits, whenever rendered necessary, as may be required by the Rules of Court, statutes, or circular in specified cases.

X X X X

II.

Judges must be punctual at all times.

X X X X

IV.

There should be strict adherence to the policy on avoiding postponements and needless delay.

X X X X

VI.

All trial judges must strictly comply with Circular No. 38-98, entitled "Implementing the Provisions of Republic Act No. 8493" ("An Act to Ensure a Speedy Trial of All Cases Before the Sandiganbayan, Regional Trial Court, Metropolitan Trial Court, Municipal Trial Court in Cities, Municipal Trial Court and Municipal Circuit Trial Court, Appropriating Funds Therefor, and for Other Purposes") issued by the Honorable Chief Justice Andres R. Narvasa on 11 August 1998 and which took effect on 15 September 1998.[87] (Italics supplied)

The aforesaid circulars are restatements of the Canons of Judicial Ethics which enjoin judges to be punctual in the performance of their judicial duties, recognizing that the time of litigants, witnesses, and attorneys is of value, and that if the judge is not punctual in his habits, he sets a bad example to the bar and tends to create dissatisfaction in the administration of justice.[88]

The OCA aptly found that the testimonies of the prosecutors and the court staff unquestionably proved that respondent Judge failed to observe the prescribed official hours as repeatedly enjoined by the Court. Respondent Judge's own branch clerk of court even testified that court sessions commenced between 9:00 a.m. and 10:00 a.m. although the Minutes of the Proceedings reflected the time at 8:30 a.m.[89]

The OCA also correctly observed that respondent Judge failed to show compassion, patience, courtesy and civility to lawyers who appear before her in contravention of the mandates of the Code of Judicial Ethics, which sets the high standards of demeanor all judges must observe.[90]

Section 3, Canon 5 of the New Code of Judicial Conduct clearly provides:

Section 3. Judges shall carry out judicial duties with appropriate consideration for all persons, such as the

parties, witnesses, lawyers, court staff and judicial colleagues, without differentiation on any irrelevant ground, immaterial to the proper performance of such duties.

In relation to Rule 3.04, Canon 3 of the Code of Judicial Conduct, provides that judges must always be courteous and patient with lawyers, litigants and witnesses appearing in his/her court, thus:

Rule 3.04- A judge should be patient, attentive, and courteous to lawyers, especially the inexperienced, to litigants, witnesses and others appearing before the court. A judge should avoid unconsciously falling into the attitude of mind that the litigants are made for the courts, instead of the courts to the litigants.

Section 6, Canon 6 of the New Code of Judicial Conduct likewise states:

Section 6. Judges shall maintain order and decorum in all proceedings before the court and be patient, dignified and courteous in relation to litigants, witnesses, lawyers and others with whom the judge deals in an official capacity. Judges shall require similar conduct of legal representatives, court staff and others subject to their influence, direction or control.

The Court is convinced that respondent Judge is guilty of Oppression as shown in several incidents of misbehavior by respondent Judge, some of which are stated below:

1)

Respondent Judge displayed antagonistic behavior towards Atty. Macapado who appeared as defense counsel in three (3) criminal cases and who might have increased the tone of his voice in their verbal tussle. He filed with the court apologizing for the incident but prayed for respondent Judge to extend a little respect to all lawyers who appear before her court in the presence of their clients and other litigants.[91]

2)

Respondent Judge engaged in an argument in open court with a certain Atty. Gerardo Padilla who appeared as defendants' counsel in Civil Case No. 06-7010.[92] Atty. Padilla found the behavior of respondent Judge antagonistic which led to the exchange of words between respondent Judge and Atty. Padilla who was prompted to utter the words "xxx you can do you worst and I will do my best"[93] to respondent Judge, maintaining civility towards the court despite the exchange.

3)

Assistant City Prosecutor Diaz was humiliated by respondent Judge who admonished her also in open court because respondent Judge felt displeased with ACP Diaz's reaction and alleged disrespectful behavior which led ACP Diaz to cry and made her unable to continue with the presentation of her witness.[94]

4)

Respondent Judge exhibited conduct unbecoming of a judge when she shouted at a court staff in her chambers while correcting the court staffs draft orders which she dictated in open court and called the court staff, "bogo ba nimo" (you are dumb or stupid).[95] Although respondent Judge and the court staff were alone in the chambers, the court staff felt humiliated as she was berated for fifteen (15) minutes and she cried when she went to the staff room.[96]

5)

Another court staff also experienced being berated and humiliated by respondent Judge. In correcting the court staffs eleven (11) draft orders, respondent Judge humiliated her by repeatedly pointing at her mistakes in an elevated voice in the presence of a friend of respondent Judge, who happened to be a party in a civil case pending before their court.[97] Nearly in tears, the court staff went out of the chambers and told her co-workers that she would no longer help in drafting orders in bail bond applications so she could concentrate on her drafts.[98] Respondent Judge found court staff's reaction to be improper, so respondent Judge followed her to the staff room and continued to scold her in front of the other staff members, and even called for an emergency staff meeting[99] where respondent Judge even called the court staff "punyeta ka, buwisit ka" in front of the other staff.[100]

The Court has previously ruled that "[a] display of petulance and impatience in the conduct of trial is a norm of behavior incompatible with the needful attitude and sobriety of a good judge." [101]

Thus, the Court finds the imposition of fines amounting to Forty Thousand Pesos (P40,000.00) and Twenty Thousand Pesos (P20,000.00), appropriate given the prevailing facts of the present case vis-a-vis respondent Judge's record for habitual malfeasance in office.

WHEREFORE, IN VIEW OF THE FOREGOING, the Court hereby finds respondent Presiding Judge Leonor S. Quiñones, Branch 6, Regional Trial Court, Iligan City GUILTY of (1) Oppression (gross misconduct constituting violations of the Code of Judicial Conduct) and FINED in the amount of Forty Thousand Pesos (P40,000.00); and (2) Habitual Tardiness and FINED in the amount of Twenty Thousand Pesos (P20,000.00), with WARNING that a repetition of the same or similar acts shall be dealt with more severely.

The Branch Clerk of Court of Branch 6, Regional Trial Court, Iligan City) is hereby DIRECTED to SUBMIT a status report on the working relationship in the court within fifteen (15) days from the end of each semester for two (2) years.

SO ORDERED.

Sereno, C.J., Carpio, Velasco, Jr., Leonardo-De Castro, Peralta, Bersamin, Del Castillo, Perlas-Bernabe, Leonen, Jardeleza, Martires, Tijam, Reyes, Jr., and Gesmundo, JJ., concur.

[1] Rollo, pp. 3, 266.

[2] Id. at 13.

[3] Id. at 13-14.

[4] Id. at 14-15, 268.

[5] Id. at 3-4.

[6] Id. at 5-6, 266.

[7] Id. at 5, 266.

[8] Id.

[9] Id.

[10] Id. at 6-7, 267.

[11] Id. at 6, 267.

[12] Id. at 6-7, 267.

[13] Id. at 7-8, 267.

[14] Id. at 8, 267.

[15] Id. at 8-9, 267-268.

[16] Id. at 11.

[17] Appears as "Ponietta Ka," id.

[18] Rollo, pp. 11, 396. Appears as "Bwisit Ka."

[19] Id. at 69.

[20] Id. at 70.

[21] Id. at 71.

[22] Id. at 72.

[23] Id. at 55, 268.

[24] Id. at 57, 269.

[25] Id. at 58, 269.

[26] Id. at 59, 269.

[27] Id. at 61 -62, 269-270.

[28] Id. at 61, 269.

[29] Id. at 55-56, 269.

[30] Id. at 271.

[31] Id.

[32] Id., citing *Union Bank of the Phils. v. Judge Jorge-Wagan*, A.M. OCA IPI No. 07-2716-RTJ, June 2, 2008 (Unsigned Resolution).

[33] Id., citing *Quilo v. Jundarino*, 611 Phil. 646, 663 (2009).

[34] Id. at 271.

[35] Id.

[36] Id. at 272.

[37] Id. at 273-274.

[38] Id. at 279-280.

[39] Id. at 400.

[40] Id. at 401.

[41] Id.

[42] Id. at 391; TSN, June 2, 2015 (Mary Jellie P. Fernando), pp. 7-8, id. at 291-292; TSN, June 2, 2015 (Grace Gallego-Medina), pp. 41-42, 45-46, id. at 325-326, 329-330; TSN, June 2, 2015 (Atty. Jihan Gift Gonzaga-Morong), pp. 63-64, 69, id. at 347-348, 353.

[43] Id.; CA Folder, p. 20.

[44] Id.; TSN, June 2, 2015 (Prosecutor Jasmin Guiuo-Diaz), pp. 86-87, rollo, pp. 370-371.

[45] Id.; TSN, June 2, 2015 (Mary Jellie P. Fernando), p. 14, id. at 298.

[46] Id.; TSN, June 2, 2015 (Atty. Jihan Gift Gonzaga-Morong), pp. 67-68, id. at 351-352.

[47] Id. at 392.

[48] Id. at 393-394; TSN, May 14, 2012, pp. 6-8, id. at 204-206.

[49] Id. at 394; CA Folder, pp. 122-125.

[50] Id.; TSN, January 25, 2011, pp. 17-22, CA Folder, pp. 143-148.

[51] Id.; id. at 17-18, id. at 143-144.

[52] Id.; id. at 22, id. at 148; italics supplied. Appears as "you can do your worst and we will do our best" in the TSN.

[53] Id. at 395; TSN, September 10, 2012, p. 4, id. at 42.

[54] Id.; TSN, November 4, 2014, pp. 7-12, id. at 229-234.

[55] Id. at 395.

[56] Id. at 396; TSN, June 2, 2015 (Mary Jellie P. Fernando), p. 10, id. at 294.

[57] Id.; id. at 10-11, id. at 294-295.

[58] Id.; TSN, June 2, 2015 (Vilben Arvie O. Tawakal), pp. 20-23, id. at 304-307.

[59] Id.; id. at 23-24, id. at 307-308.

[60] Id.; id. at 24, id. at 308.

[61] Id.; id. at 26, id. at 310.

[62] Id. at 392, citing Atty. Mane v. Judge Belen, 579 Phil. 46, 51 (2008).

[63] Id.

[64] Id. at 398.

[65] Id. at 403.

[66] Id.

[67] Id.

[68] Id.

[69] Id. at 404.

[70] *Id.*; italics supplied.

[71] *Id.*

[72] *Id.* at 405.

[73] *Id.* at 406.

[74] *Id.* at 406-407, citing *Macaraya v. Judge Quiñones*, OCA IPI No. 11-3677-RTJ, June 16, 2014 (Unsigned Resolution).

[75] *Id.* at 407.

[76] *Id.*

[77] *Id.*

[78] *Id.*

[79] *Id.*

[80] *Id.*

[81] *Id.*

[82] *Id.*; italics supplied.

[83] *Id.*

[84] *Id.*

[85] *Id.*

[86] *Id.*

[87] *Yu-Asensi v. Judge Villanueva*, 379 Phil. 258, 268 (2000).

[88] *Id.* at 268-269; rollo, p. 404.

[89] Rollo, p. 404.

[90] *Id.* at 405.

[91] *Id.* at 394; CA Folder, p. 124

[92] *Id.*; TSN, January 25, 2011, pp. 17-22, CA Folder, pp. 143-148.

[93] *Id.*; *id.* at 22, *id.* at 148; italics supplied.

[94] *Id.* at 395; TSN, November 4, 2014, pp. 7-12, *id.* at 229-234.

[95] *Id.* at 396; TSN, June 2, 2015 (*Mary Jellie P. Fernando*), p. 10, rollo, p. 294.

[96] *Id.*; *id.* at 10-11, *id.* at 294-295.

[97] *Id.*; TSN, June 2, 2015 (*Vilben Arvie O. Tawakal*), pp. 20-23, *id.* at 304-307.

[98] *Id.*; *id.* at 23-24. *id.* at 307-308.

[99] *Id.*; *id.* at 21, *id.* at 308.

[100] *id.*; *id.* at 26, *id.* at 310.

[101] *Tiongco v. Judge Salao*, 528 Phil. 969, 978 (2006), citing *Torres V. Judge Villanueva*, 387 Phil. 516, 524 (2000).

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.