

**EXECUTIVE JUDGE LEANDRO T. LOYAO, JR., COMPLAINANT, VS.
LOUCIANO P. ARMECIN, REYNATO O. CADAVOS, ALFREDO C.
GALOZO, JR., RESPONDENTS.**

A.C. No. P-99-1329. August 01, 2000

Ponente: YNARES-SANTIAGO, J.

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YNARES-SANTIAGO, J.:

Louciano P. Armecin, Clerk III; Alfredo C. Galozo, Jr., Utility Worker II; and Reynato O. Cadavos, Utility Worker I, were charged with Simple Misconduct and censured in a Report dated July 27, 1998[1] by complainant Executive Judge Leandro T. Loyao, Jr. for leaving their posts at the Office of the Clerk of Court of the Regional Trial Court of Maasin, Southern Leyte, Branch 24 without permission.

The report was thereafter referred to the Office of the Court Administrator (OCA) which, after evaluation, recommended that: a.] the report of the complainant executive judge be treated as an administrative charge against the three respondents; b.] respondents be held guilty as charged; and c.] respondents be administratively censured for their misconduct with the stern warning that a repetition of the same or any similar act shall be dealt with more severely.

The Court subsequently issued a Resolution dated August 2, 1999: a.] requiring the respondents to manifest whether they are submitting the case for decision within ten days from notice; and b.] docketing the case as a regular administrative proceeding.

In compliance with the foregoing directive, respondents filed a Manifestation on August 20, 1999 submitting the case for decision with prayer that the Court dismiss the charges against them.

The Report of complainant Executive Judge states that on July 23, 1998 at 3:00 p.m., respondents left the office for personal purposes without asking permission from their superior. Their absence allegedly left the entire office undermanned.

As a consequence, complainant Executive Judge issued Office Memorandum No. OEJ-0-01-98 dated July 23, 1998 directing all respondents to explain in writing within 72 hours from receipt why they should not be administratively dealt with for their unauthorized absence in the office and taking advantage of the leave of absence of Atty. Roman T. Galdo, Clerk of Court at the Bulwagan ng Katarungan of Maasin, Southern Leyte.

In compliance with Office Memorandum No. OEJ-0-01-98, respondents jointly explained that in the morning of July 23, 1998, Sheriff Romulo G. Madredijo requested respondent Armecin to buy food at the public market for his birthday party. At past noon, Armecin proceeded to the public market to purchase fish and spices. After lunch, respondents reported for work and recorded their time of arrival at the office logbook.

Respondents further explained that they left their co-workers Romulo G. Madredijo and Lolita R. Edilo at the office and at around 3:00 p.m., they proceeded to Armecin's house located near the Provincial Capitol grounds to prepare, out of pakikisama, the food they purchased earlier for Madredijo's birthday. Shortly thereafter,

respondents brought the prepared food to the Bulwagan ng Katarungan where the birthday party was to be held.

Stressing that pakikisama is a practice and tradition already existing in the office, respondents clarified that they did not take advantage of the leave of absence of the Clerk of Court and what they did was only a way of expressing their felicitation to the celebrant co-worker who was celebrating his 59th birthday.

Complainant Executive Judge found the explanation of respondents unsatisfactory and recommended the censure of the latter with the warning that a repetition of the same or any other similar act in the future shall be dealt with more severely. Complainant pointed out that respondents should have sought his permission inasmuch as their immediate superior, Atty. Galdo, was absent, adding that respondents need not leave the office during working hours to prepare the food for the party after office hours.

More importantly, complainant reported that on the same day, they were preparing the records of appealed cases to be reported to the Court Administrator. However, the three (3) respondents seemingly did not show any interest in finishing the said report but gave priority instead to a personal favor for the sake of pakikisama.

The Court finds that indeed respondents were remiss in their obligations as judicial employees when they went out during office hours without asking the permission of their superior. Their explanations that they went out to buy and prepare food for the birthday celebration of their officemate and that they did the same out of pakikisama is unsatisfactory and should not be countenanced.

While pakikisama is a value deeply embedded in our tradition and mores that often fosters harmony and good working relationships in the workplace, carrying out its observance and practice to the degree where it frustrates or prejudices the administration of justice should not be tolerated.

Since the administration of justice is a sacred task, the persons involved in it ought to live up to the strictest standard of honesty, integrity and uprightness.[2] It bears stressing once again that public service requires utmost integrity and the strictest discipline possible of every public servant. A public office is a public trust that enjoins all public officers and employees, particularly those serving in the judiciary, to respond with the highest degree of dedication often even beyond personal interest.[3] In this regard, it must be borne in mind that –

... the image of a court of justice is necessarily mirrored in the conduct and, official or otherwise, of the men and women, from the judge to the least and lowest of its personnel, hence, it becomes the imperative sacred duty of each and everyone in the court to maintain its good name and standing as a true temple of justice.[4]

"The conduct and behavior of every person connected with an office charged with the dispensation of justice, from the presiding judge to the lowest clerk, is circumscribed with a heavy burden of responsibility. His conduct, at all times, must not only be characterized by propriety and decorum but also, and above all else, be above suspicion."[5]

All too often, this Court has declared that any act which falls short of the exacting standards for public office, especially on the part of those expected to preserve the image of the judiciary, shall not be countenanced.[6] To reiterate, public office is a public trust. Public officers must at all times be accountable to the people, serve them with utmost degree of responsibility, integrity, loyalty and efficiency.[7] Needless to state, respondents in their ill-advised alacrity to please a co-worker and a misplaced sense of pakikisama, ran afoul of such standards. Only recently in *Office of the Court Administrator v. Sheriff IV Julius G. Cabe, RTC, Branch 28, Catbalogan, Samar*, [8] the Court said –

Time and again, we have emphasized the heavy burden and responsibility which court personnel are saddled with in view of their exalted positions as keepers of public faith. They must be constantly reminded that any impression of impropriety, misdeed or negligence in the performance of official functions must be avoided. As

we have held in the case of *Mendoza vs. Mabutas*,^[9] this Court condemns and would never countenance such conduct, act or omission on the part of all those involved in the administration of justice which would violate the norm of public accountability and diminish or even just tend to diminish the faith of the people in the Judiciary.

WHEREFORE, respondents Louciano P. Armecin, Clerk III, Alfredo C. Galozo, Jr., Utility Worker II and Reynato O. Cadavos, Utility Worker I of the Office of the Clerk of Court of the Regional Trial Court of Maasin, Leyte, Branch 24 are hereby CENSURED for their misconduct and STERNLY WARNED that a repetition of the same or similar acts will be dealt with more severely.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Puno, Kapunan, and Pardo, JJ., concur.

[1] Rollo, p. 1.

[2] *Anonymous v. Geverola*, 279 SCRA 279 (1997), citing *Basco v. Gregorio*, 245 SCRA 614 (1995)

[3] Re: Report of Senior Chief Staff Officer Antonina A. Soria, 299 SCRA 63 (1998), citing Code of Ethical Standards for Public Officers and Employees; Report on Audit and Physical Inventory of the Records of Cases in MTC of Penaranda, Nueva Ecija, 276 SCRA 257 (1997) reiterating *JDF Anomaly in the RTC of Ligao, Albay*, 255 SCRA 221 (1996) and *Gamo v. Leonen*, 232 SCRA 98 (1994)

[4] *Antonio Yu Asensi v. Judge Francisco D. Villanueva*, MTC, Branch 36, Quezon City, A.M. No. MTJ-00-1245, 19 January 2000, p. 18, citing Re: Report on Audit and Physical Inventory of the Records of Cases in MTC of Penaranda, Nueva Ecija, 276 SCRA 257 (1997), citing *Miro v. Tan*, 235 SCRA 400 (1994), citing *Recto v. Raulis*, 70 SCRA 438 (1976)

[5] *Wilfredo F. Araza v. Sheriffs Marlon M. Garcia and Nicolas A. Tonga*, A.M. No. P-00-1363, 8 February 2000, p. 9, citing *Banogon v. Arias*, 274 SCRA 17 (1997)

[6] Re: Absence Without Official Leave (AWOL) Of Antonio Macalintal, Process Server, Office of the Clerk of Court, A.M. No. 99-11-06-SC, 15 February 2000, p. 4.

[7] *Ibid.*, citing *Rangel-Roque v. Rivota*, 302 SCRA 502 (1999), citing *Gano v. Leonen*, *supra*.

[8] A.M. No. P-96-1185, 26 June 2000, p. 12.

[9] 223 SCRA 411 (1993), citing *Sy v. Academia*, 198 SCRA 705 (1991).

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