

MARITES B. KEE, COMPLAINANT, VS. JULIET H. CALINGIN, COURT STENOGRAPHER, REGIONAL TRIAL COURT, BRANCH 42, MEDINA, MISAMIS ORIENTAL, RESPONDENT.*A.M. No. P-02-1663 (Formerly OCA IPI NO. 99-656-P). July 29, 2003*

Ponente: VITUG, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/99ebd445bd06/>**VITUG, J.:**

In an affidavit-complaint, dated 08 June 1999, Marites B. Kee charged Juliet H. Calingin, a court stenographer assigned to the Regional Trial Court (RTC), Branch 42, of Medina, Misamis Oriental, with Immorality. In the complaint, Mrs. Kee disclosed that in 1998, she chanced upon her husband, Engineer Amado Kee, and Ms. Calingin partaking of beer at wee hours in the morning inside a videoke bar. She dismissed her thoughts of forthwith confronting the two as it might invite the ire of her husband. Sometime later, neighbors and friends mentioned to her that Ms. Calingin and her husband were keeping an illicit affair and often seen having trysts in different places. Hurt but desperate to find out the truth, she would look into her husband's things to see if she could find some evidence of his infidelity. At one time, complainant checked her husband's attaché case; there, she found love letters and a picture of Ms. Calingin. Complainant promptly confronted her husband who finally admitted that Ms. Calingin was his paramour.

On 11 February 1999, complainant went to the office of Ms. Calingin. She agreed to later meet complainant elsewhere. When nightfall came, complainant and respondent met at the appointed place. According to complainant, Ms. Calingin confessed her relationship with Amado Kee and their out-of-town trysts. She asked forgiveness for her wrongdoing. After reflecting on it, complainant still decided to file an administrative case against Ms. Calingin before the Office of the Court Administrator (OCA).

In the memorandum, dated 21 August 2000, then Court Administrator Alfredo L. Benipayo recommended that an investigation be conducted to thresh out the factual matters involved. The Court, in its resolution of 20 September 2000, adopted the recommendation and referred the case to the Executive Judge of RTC Branch 42 of Medina, Misamis Oriental, for investigation, report, and recommendation.

Executive Judge Editho E. Lucagbo heard the parties. Respondent denied the allegations leveled against her. She admitted her acquaintance with Engineer Kee, the latter being a neighbor and co-officer in the Barangay Council, but disclaimed that they were lovers. On the alleged meeting with complainant, Ms. Calingin likewise denied that she had asked for forgiveness. According to respondent, it would have been rude on her part to decline the invitation extended by Ms. Kee for a meeting. On 09 July 2002, the investigating Judge submitted his findings; viz:

"The initial hearing was held on 02 April 2001 with complainant Marites Kee testifying on the matters the substance of which have (sic) already setforth above as recited in her affidavit.

"Her cross-examination was, however, not terminated because it took time (sic) of this court to retrieve the original letters and other documents which were submitted by complainant to the Supreme Court and which, in

turn, was (sic) forwarded to the undersigned.

"In between the hiatus in hearing this case, because of other cases heard by the undersigned not only Medina cases but also cases in the official station of the undersigned Judge as Presiding Judge of Regional Trial Court, Branch 43, Gingoog City, and also of the postponements because of conflict of calendar by the lawyers, also by the stroke which the undersigned suffered which incapacitated him for six (6) months or more and so with the circumstance that complainant lawyer, Atty. Cristina M. Jugador, was out of the country for five (5) months. When this case was again called last 05 July 2002, the parties and counsels, after a lengthy conference, finally agreed to settle the case amicably.

"In the presence of the lawyer, the court staff assisting in the hearing and this Presiding Judge, respondent Juliet Calingin openly asked apology from complainant Marites Kee, thus admitting her indiscretion. It smacks a title of a 'tele-novella' when respondent cried openly in front of complainant and relating her travails and at the same time reminded the complainant that this is the second time she asked for apology and appealed for charity of complainant for what (had) happened. However, it was agreed by the complainant and respondent that the illicit relationship between Juliet Calingin and Armando Kee had long ceased and in fact, Juliet Calingin has now been restored in a normal relationship with her family and only lately, she even delivered her youngest child with her husband (sic).

"x x x x x x x x

"Suffice to say that from the demeanor of the respondent this court is convinced of her deep contrition as to what had happened to her. Her admission alone of her indiscretion shows enough remorse.

"Also agreed between the complainant and respondent [was] that the later (sic) reimburse the former the sum of FIFTEEN THOUSAND (P15,000.00) which she spent in hiring her counsel to assist her in this administrative case. The FIVE THOUSAND (P5,000.00) is to be paid within 30 days from July 5, 2002 and the remaining TEN THOUSAND (P10,000.00) to be paid in equal installment within six (6) months after receipt of P5,000.00."

After the settlement, the complaint against Ms. Calingin was withdrawn. In his report, Judge Lucagbo stated that he had first thought of recommending the suspension of respondent for her misconduct but because of her confession and eventual show of remorse, and after obliging herself to reimburse complainant of her expenses, the Judge recommended that respondent be merely reprimanded.

The OCA, in its Memorandum of 19 November 2002, held that the withdrawal by Ms. Kee of her complaint should not free respondent from her administrative liability, administrative proceedings against government employees being imbibed with public interest.[1] It stated thusly:

"x x x As a court employee of permanent status, she is covered by the Civil Service Rules. Under Section 23(O) of Rule XIV of the Rules Implementing Book V of the Administrative Code of 1987 and applicable rulings of disgraceful and immoral conduct is considered a grave offense and punishable by suspension for six (6) months and one (1) day to one (1) year for the first offense and dismissal for the second offense. However, considering that this is respondent's first offense and as pointed out by the investigating judge Hon. Editho E. Lucagbo that she was remorseful and has since then terminated her relationship with complainant's husband, we are inclined to recommend a lighter penalty of suspension of one (1) month without pay on respondent.

"In view of the foregoing, it is respectfully recommended that respondent Juliet H. Calingin be **SUSPENDED** for one (1) month without pay for immorality." [2]

The Code of Judicial Ethics expresses that the conduct of court personnel, not only in the performance of their official duties but also in their personal life as well, should be free from impropriety. A place in the judiciary demands upright men and women[3] who must carry on with dignity and be ever conscious of the impression that

they could create by the way they conduct themselves. Respondent has displayed a contemptuous behavior that falls short of the moral standard required of everyone in the judiciary. Disgraceful or immoral conduct is a grave offense that cannot be taken lightly, and it cannot be countenanced even by the withdrawal of the charge by private complainant. Certainly, the image of the judiciary is the concern of all and not just the parties to an administrative case.[4]

The Court finds the OCA's recommended penalty, respondent's expression of remorse and reparation notwithstanding, below what should be commensurate to and expected under the circumstances. A three-month suspension would be more reasonable than that recommended by the OCA.

WHEREFORE, the Court finds respondent guilty of immorality and hereby imposes upon her the penalty of suspension for three (3) months, without pay, with a warning that a similar or any other infraction by her shall warrant a stiffer penalty.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Ynares-Santiago, Carpio, and Azcuna, JJ., concur.

[1] Memorandum dated 19 November 2002, p. 4.

[2] Ibid, p. 5

[3] Re: Release by Judge Manuel T. Muro, RTC Branch 54, Manila, of an Accused in a Non-Bailable offense, A.M. 00-7-323-RTJ, 17 October 2001, 367 SCRA 285.

[4] I. Rizon v. Judge Zerna, AM No. RTJ-00-1575, 17 September 2001, 365 SCRA 315 citing Eñojas, Jr. v. Gacott, Jr., 322 SCRA 272.

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.