

HON. GODOFREDO P. QUIMSING, JUDGE, COURT OF FIRST INSTANCE OF LEYTE, COMPLAINANT, VS. GIL S. BUGHO, RESPONDENT

A.M. No. 592-CFI. September 28, 1977

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The Hon. Godofredo P. Quimsing charges court stenographer Gil Bugho who is assigned to his court, Branch XI of the Court of First Instance of Leyte, for insubordination, discourtesy and conduct unbecoming an officer of the court, alleged to have been committed as follows:

"At around 9:30 in the morning of August 3, 1977, during a break in the sessions of the Court, I called three (3) employees to my chambers, namely: Gil Bugho, Arturo Basilan and Winifreda Genabe, and called their attention to the fact that because they were late that morning, the undersigned held sessions, together with the court interpreter and bailiff without anybody left in the staffs office except the janitor who was busy going about his function of cleaning the premises. After enjoining them to try harder in coming on time, I told the last two to go back to their tables but told Gil Bugho to remain because I was pointing out some mistakes to be corrected in a decision he had typed. While I was pointing out said errors, probably sounding impatient about it, Bugho tried to reason out, which made the undersigned more impatient, compounded by the fact that Bugho left the chambers. Thinking it was an act of discourtesy, undersigned in a raised voice told him to come back. It turned out that he just wanted to get his eyeglasses since he could not see very well the error I was pointing out to him which he was trying to justify. When the undersigned continued pointing out the errors to be corrected, Bugho suddenly and discourteously shouted at the undersigned, a behavior unbecoming of a stenographer in relation to his presiding judge.

"At exchange of words followed wherein Bugho uttered in a loud voice that he has been resenting the treatment of the undersigned towards him and added threateningly that he is also willing to die if necessary. Bugho also mentioned that if undersigned does not like him, he is ready to resign. Undersigned pointed out that he had helped subject person before, both officially and personally, so he had no reason to think that undersigned dislike him. This, subject person admitted, but when undersigned pressed the question whether he is going to resign or not, subject person refused to talk further about it and without leave, unceremoniously left the chambers, which to the mind of the undersigned, is a behavior amounting to insubordination.

"All these happened in the presence of the other court stenographer Moises A. Santos who has the good sense of standing by for obvious reasons, and within the hearing of other court employees and people present then in the courtroom, like Ass't. Provincial Fiscal Nemesio Buot, Jr." (pp. 5 & 6, rollo)

Required to comment on the foregoing complaint, respondent Bugho explains thus:

"I am very much sorry for my unbecoming behavior this morning before my immediate Judge.

"It is true that I reported to my office late this morning due to the difficulty in taking transportation in coming to office, and, in fact, I had just walked from the National Highway to the office, which is quite a far distance. That shortly after I arrived the office, it is true my Judge called me to his chamber together with two (2) of my officemates, calling our attention to come to office earlier, and also pointed to me some corrections made by him on the finalized decision that he told me to type, and because I could not see what he was pointing at very well, I went out of his chambers to get my eyeglasses from my table which was only about 4 meters away and, at this juncture, my judge called me back in a loud voice and I felt hurt and so my unbecoming behavior, to

which I became very much sorry of this my behavior in front of my superior.

'it is also true that I went out of the chamber with my Judge not finished talking with me in order to cool myself, sensing that what I was doing is not good and in order not to talk some more words that are unbecoming of a subordinate.

"I, therefore, respectfully pray that I be forgiven by judge Godofredo P. Quimsing, the fact that I felt very much sorry for all that, and I promise that, if given a chance, I will not repeat the same and consider it my first and last." (p. 7 rollo)

Executive Judge, Hon. Jesus N. Borromeo, who forwarded to this Court the above-quoted letter complaint and respondent's comment, recommends that respondent stenographer be reprimanded and that he be re-assigned to another branch of the Court of First Instance of Leyte. (p. 2, rollo)

This Court looks indeed with disfavor on the conduct of respondent which manifests discourtesy and disrespect to a superior amounting to insubordination aggravated by the fact that the acts were committed in the presence of other employees and third persons. Not only as a court employee expected to be well-mannered, civil and considerate in his actuations, official or otherwise, but, more than anybody else, he is bound to manifest to his superiors, more particularly, to the presiding Judge, utmost respect and obedience to the latter's orders and instructions issued pursuant to the duties of the office the Judge holds. Respondent's action of turning his back to the Judge while the latter was calling the attention of said employee to his tardiness and mistakes in his work plus shouting at the Judge, cannot pass this Court with a simple reprimand.

WHEREFORE, We hold respondent GIL S. BUGHO guilty of conduct unbecoming an employee of the Judiciary and We hereby impose upon him, by way of penalty, a Fine of Two Hundred (P200.00) Pesos to be paid within fifteen (15) days from receipt hereof, with a strong warning that a commission of any other misconduct will be dealt with more severity. Upon recommendation of Executive Judge Borromeo, stenographer Bugho is ordered transferred to Branch II of the Court of First Instance of Leyte in place of stenographer Mariana V.P. Espina who in turn is re-assigned to Branch XI of said court until further orders.

So Ordered.

Teehankee (Chairman), Makasiar, Martin, Fernandez, and Guerrero, JJ., concur.

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