BENCHBOOK FOR TRIAL COURT JUDGES

JUDICIAL ETHICS

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I. THE ROLE OF THE JUDGE

In administering justice, the judiciary decides controversies between the party litigants. At the same time, it also contributes to the establishment of the Rule of Law without which there will be chaos in the community. What is more significant, however, is that the judiciary achieves such goal by relying on the moral force generated by the quality of its work in administering justice. It has been pointed out that:

> Among the three powers of government, the judiciary is in the material sense the weakest. Although its function in society is as noble and important as the ones entrusted to the legislative and executive powers, and there is none loftier that our mind may conceive or to which the most ambitious heart may aspire, it needs the active and positive help of other agencies to make it effective. Congress must provide for the adequate budget, and the executive power the necessary force to make effective the orders and decisions of tribunals.
>
> To compensate for that comparative physical weakness of the judicial power, it is necessary that judges and courts should acquire the unbounded moral force which springs from the general faith and confidence of government and people alike. That moral force, although intangible, immeasurable and imponderable, is as effective as any cosmic force, if not more. We hold as an axiom that spiritual energy is stronger than atomic energy, the mighty basic force of material universe. But to obtain and retain public faith and confidence, it is necessary that courts and judges should show by their acts that they are actually entitled to such faith and confidence. Recalcitrant insubordination and indiscipline are not the means. On the contrary, they will only provoke public suspicion and distrust, if not popular wrath and condemnation.[1]

To gain and maintain such confidence of the people, the Judiciary must, in the words of the Code of Judicial Conduct, be 'honorable, competent and independent.'

These are the same qualities that every judge must possess. Section 7 (3), Article VIII of the Constitution ordains that 'a member of the judiciary must be a person of proven competence, integrity, probity, and independence.'[2] The Code of Judicial Conduct adds that 'a judge should be the embodiment of competence, integrity and independence.'[3] It is the judge who gives flesh and bone to the judiciary. Although the court over which he presides may be a humble one, it is part of the legal system of the land. As pointed out above, it is necessary that courts and judges should show by their acts that the judiciary is entitled to the faith and confidence of the people.

II. ETHICAL RULES OF JUDICIAL CONDUCT

1. Necessity and Sources of Judicial Ethics

The quality and character of judges are matters of public interest. That is why the process for their selection and appointment has been insulated as far as possible from politics. The Constitution now provides for a Judicial and Bar Council whose main function is to recommend appointees to the judiciary. The President’s choice in the appointment of judges is limited to the list of at least three (3) nominees prepared by the Judicial and Bar Council for every vacancy.[4] Confirmation by the Commission on Appointments is no longer required.

The maintenance of the quality of the judiciary is also the reason for ethical rules developed throughout the years to guide and govern the conduct of judges. Although such rules have largely been codified in the Code of Judicial Conduct, the Constitution, statutes, the Rules of Court, Canons of Judicial Ethics, and decisions of the Supreme Court are still rich sources of refinements and precedents.

Thus, aside from the aforementioned provision of Section 7, Article VIII of the Constitution mandating that a member of the judiciary must be a person of proven competence, integrity, probity and independence, there is also Section 1, Article XI of the same Constitution which declares that:

> Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, loyalty and efficiency, act with patriotism and justice, and lead modest lives.

In line with this principle, Congress has enacted Republic Act No. 6713,[5] otherwise known as the "Code of Conduct and Ethical Standards for Public Officers and Employees," which is also applicable to judges.

2. Ethical Rules Relating to Competence

A judge should be competent. Rule 3.01 of the Code of Judicial Conduct requires that the judge should maintain “professional competence.”

2.1 Proficiency in the Law

Competence means, first of all, that the judge should be proficient in the law. Time and again, the Supreme Court has pointed out that a judge should have more than a cursory acquaintance with the law and rules of procedure.[6] He owes it to the public and to the legal profession to know the law he is supposed to apply to a given controversy.[7]

This requires a continuous study of law and jurisprudence on his part.[8]

> We, likewise, reiterate the pressing responsibility of judges to keep abreast with the law and changes therein, as well as with latest decisions of the Supreme Court. Ignorance of the law, which everyone is bound to know, excuses no one - not even judges. Ignorantia juris quod quisque scire tenetur non excusat. Moreover, the role of justices and judges in the administration of justice requires a continuous study of the law and jurisprudence lest public confidence in the judiciary would be eroded by the incompetent and irresponsible conduct of judges. A judge in accordance with sworn duties should be faithful to the law and maintain professional competence in it.[9]

Even if a judge is already nearing the compulsory retirement age, he is still called upon to study.

> Even in the remaining years of his stay in the judiciary, he should keep abreast with the changes in the law and with the latest decision and precedents. Although a judge is nearing retirement, he should not relax in his study of the law and court decisions. Service in the judiciary means a continuous study and research on the law from beginning to end.[10]

2.2 Faithfulness to the Law

A judge should not only know the law, but he must be faithful to it. He should apply the law in spite of his personal opinion about its merit. The Supreme Court has aptly explained, thus:

> Obedience to the rule of law forms the bedrock of our system of justice. If judges, under the guise of religious or political beliefs were allowed to roam unrestricted beyond boundaries within which they are required by law to exercise the duties of their office, then law becomes meaningless. A government of laws, not of men, excludes the exercise of broad discretionary powers by those acting under its authority. Under this system,

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> judges are guided by the Rule of Law, and ought to protect and enforce it without fear or favor, resist encroachments by governments, political parties, or even the interference of their own personal beliefs.[11]

Earlier, the Supreme Court explained that:

> "xxx For the discretion which the respondent judge speaks of in his order is not an unfettered one, though this may sound paradoxical. The judge, writes Cardozo, even when he is free, is still not wholly free. He is not a knight-errant roaming at will in pursuit of his own ideal of beauty or of goodness. He is to draw his inspiration from consecrated principles. He is not to yield to spasmodic sentiment, to vague and unregulated benevolence. He is to exercise a discretion informed by tradition, methodized by analogy, disciplined by system, and subordinated by the primordial necessity of order in social life. Wide enough in all conscience is the field to discretion that remain.' And we might add that the kind of justice which courts are called upon to dispense is justice according to the precepts of law.[12]

However, the Supreme Court has also decided that where a provision of law is silent or ambiguous, judges ought to invoke a solution 'responsive to the vehement urge of conscience.'[13]

Moreover, it is the duty of a judge to apply the law as interpreted by the Supreme Court[14] and not in accordance with his personal views.[15] If he does not agree with the Supreme Court's doctrine, he may express his view on the matter; nevertheless, he should follow and apply the said doctrine.

2.3 Ascertainment of Facts

A judge should not only be faithful to the law, but he should also be proficient in the ascertainment of facts.[16] He should firmly enforce the Rules of Court in the conduct of the trial. He should basically observe due process of law which requires that he should hear both sides and give them the opportunity to present their evidence.[17] His findings of fact must be based on the evidence presented and admitted, and not on his personal knowledge. Moreover, '[w]hile a judge may, to promote justice, prevent waste of time or clear up some obscurity, properly intervene in the presentation of evidence during the trial, it should always be borne in mind that undue interference may prevent the proper presentation of the cause or the ascertainment of the truth.'[18]

However, a judge may validly render a decision although he did not, or has only partly heard, the testimony of the witnesses, such as when he has taken over a case from a previous judge.[19]

2.4 Order and Decorum

Competence also means that the judge should maintain order and decorum in the court.[20] Proceedings in court must be conducted formally and solemnly, and the judge himself should set the example and the tone.

The judge must always keep in mind that he is the visible representative of the law. From him, the people draw their will and awareness to obey the law.[21]

Towards this end, a judge should be punctual in holding hearings and strictly observe the requirement of at least eight hours of service a day, of which five hours should be devoted to trial.[22]

A judge should be dressed appropriately and use proper language. It has been held that it is improper for a judge to hear a case in sleeveless polo shirt and slippers[23] or attired only in 'polo jacket.'[24]

A judge should not allow himself to be moved by pride, passion or pettiness in the performance of his duties.[25] A judge should be patient, attentive, and courteous to lawyers, especially the inexperienced, to litigants, witnesses, and others appearing before the court.[26] An over-speaking judge is no well-tuned cymbal.[27] 'A judge, mindful of his high calling and his mission, should refrain from the use of inflammatory and excessive rhetoric.'[28]

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The judge should not tolerate unnecessary taking of pictures of the court proceedings. Live radio and television coverage of court proceedings has been prohibited by the Supreme Court to protect the parties' right to due process, prevent distraction of the participants to the proceedings, and to avoid miscarriage of justice.[29]

2.5 Speedy Disposition of Cases

Competence also means that the judge should dispose of the court's business promptly and decide cases within the required periods.[30] It is not enough that judges pen their decisions; it is also important to promulgate and make them known at the earliest possible time and within the mandated period.[31] Sec. 15 (1), Art. VIII of the Constitution provides that "all cases or matters filed after the effectivity of this Constitution must be decided or resolved within twenty four months from date of submission for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three months for all other lower courts." The Constitution even goes to the extent of clarifying that a case or matter shall be deemed submitted for decision or resolution upon the filing of the last pleading, brief or memorandum required by the Rules of Court or by the court itself.[32]

The duty to decide cases promptly is due to the time-honored precept that justice delayed is justice denied.[33] Relative to this, a judge should make a periodic physical inventory of the cases assigned to him to enable him to keep track of their status.[34]

2.6 Contents of a Decision

The Constitution requires the judge to state clearly and distinctly the facts and the law on which he bases his judgment.[35] A competent judge should find no difficulty with this requirement. This will show that he has not disregarded any evidence and argument of counsel. This will also "show his full understanding of the case, avoid suspicion of arbitrary conclusion, promote confidence in his intellectual integrity and contribute useful precedent to the growth of law."[36]

2.7 Performance of Administrative Duties

Finally, competence means that the judge should be a good manager. He 'should diligently discharge administrative responsibilities, maintain professional competence in court management, and facilitate the performance of the administrative functions of other judges and court personnel.'[37] He should 'organise and supervise the court personnel to ensure prompt and efficient dispatch of service and require at all times the observance of high standards of public service and fidelity.'[38] He should 'take or initiate appropriate disciplinary measures against lawyers or court personnel for unprofessional conduct'[39] and 'appoint commissioners, receivers, trustees, guardians, administrators and others strictly on the basis of merit and qualifications.'[40]

A judge must keep a watchful eye on the conduct of his subordinates in order to deter negligence or abuse on the part of the latter.[41] He should see to it that his orders are properly and promptly enforced and that case records are properly stored.[42] A judge cannot take refuge behind the inefficiency or mismanagement of court personnel. Proper and efficient court management is as much his responsibility.[43]

He may penalize lawyers and court personnel for contempt in the appropriate cases to enforce discipline on them. But it should be remembered that 'judges should exercise their contempt powers judiciously and sparingly, with utmost restraint, and with the end in view of utilizing their contempt powers for correction and preservation, not for retaliation or vindication.'[44] Also, it has been held that a predisposition to use physical violence and intemperate language against a judge's subordinates reveals a marked lack of judicial temperament and self-restraint.[45]

3. Ethical Rules Relating to Independence

The independence or impartiality of the judge is mandated by due process of law. Every litigant is entitled to the cold neutrality of an impartial judge.[46] It has been said that 'while a judge should possess proficiency in law in order that he can competently construe and enforce the law, it is more important that he should act and behave in such a manner that the parties before him should have confidence in his impartiality.'[47] A judge shall at all times strive to be 'wholly free, disinterested, impartial and independent.'[48]

Rule 2.03 of the Code of Judicial Conduct states:

> A judge shall not allow family, social or other relationship to influence judicial conduct or judgment. The prestige of judicial office shall not be used or lent to advance the private interests of others nor convey or permit others to convey the impression that they are in a special position to influence the judge.

A judge should abstain from making public comments on any pending or impending case and should require similar restraint on the part of court personnel.[49] He should remember that the manner and attitude of judges in every litigation is crucial to everyone concerned. He should not yield to first impressions or hasty conclusions or prejudge matters.[50]

3.1 Disqualification or Inhibition

Rule 3.12 of the Code of Judicial Conduct provides grounds for the disqualification of judges, thus:

Rule 3.12. - A judge should take no part in a proceeding where the judge's impartiality might reasonably be questioned. These cases include, among others, proceedings where:

(a)

the judge has personal knowledge of disputed evidentiary facts concerning the proceeding;

(b)

the judge served as executor, administrator, guardian, trustee or lawyer in the case or matters in controversy, or a former associate of the judge served as counsel during their association, or the judge or lawyer was a material witness therein;

(c)

the judge's ruling in a lower court is the subject of review;

(d)

the judge is related by consanguinity or affinity to a party litigant within the sixth degree or to counsel within the

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fourth degree;

(e)

the judge knows that the judge's spouse or child has a financial interest, as heir, legatee, creditor, fiduciary, or otherwise, in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.

This rule is apparently based on Section 1, Rule 137 of the Revised Rules of Court, which states:

> Section 1. Disqualification of judges. - No judge or judicial officer shall sit in any case in which he, or his wife or child, is pecuniarily interested as heir, legatee, creditor or otherwise, or in which he is related to either party within the sixth degree of consanguinity or affinity, or to counsel within the fourth degree, computed according to the rules of the civil law, or in which he has been executor, administrator, guardian, trustee or counsel, or in which he has presided in any inferior court when his ruling or decision is the subject of review, without the written consent of all parties in interest, signed by them and entered upon the record.
>
> A judge may, in the exercise of his sound discretion, disqualify himself from sitting in a case, for just or valid reasons other than those mentioned above.

Under both rules, there are mandatory grounds for the disqualification of a judge. Aside from such mandatory grounds, he may exercise his discretion in disqualifying or inhibiting himself from presiding over a case. The basis for such inhibition should be the existence of reasonable grounds for questioning the judge's impartiality. The Supreme Court has given the following test for determining whether or not a judge should voluntarily inhibit himself:

A judge may not be legally prohibited from sitting in litigation. But when suggestion is made of record that he might indeed be induced to act in favor of one party or with bias or prejudice against a litigant arising out of circumstances reasonably capable of inciting such a state of mind, he should conduct a careful self-examination. He should exercise his discretion in a way that the people's faith in the courts of justice is not impaired. A salutary norm is that he reflect on the probability that a losing party might nurture at the back of his mind the thought that the judge had unmeritoriously tilted the scales of justice against him.[51]

The Supreme Court has opined that 'at the very first sign of lack of faith and trust in his actions, whether well-grounded or not, the judge has no other alternative but to inhibit himself from the case.'[52] On the other hand, it has been held that 'The Supreme Court cannot tolerate acts of litigants who for any conceivable reason, seeks to disqualify a judge for their own purposes under a plea of bias, hostility, prejudice or prejudgment.'[53] Similarly, the mere filing of an administrative case against a judge is not a ground for disqualifying him from hearing the case.[54]

A judge who told the offended parties that their case is weak even before they had been fully heard will be disqualified from further hearing the case.[55]

Also, 'there is a violation of the Code of Judicial Conduct where the judge who conducted the preliminary investigation does not inhibit himself despite the fact that the counsel of the accused is the counsel of the judge's family in a pending case.'[56]

Where an election commissioner was once a law partner of one of the parties in an election case, fair play and delicadeza demand that he inhibit himself therefrom.[57] However, past relations of a judge with a local politician

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intervening in a case is not enough indication of bias.[58] The fact alone that a judge is a next-door neighbor of the complainant in a perjury case is not a ground for the mandatory or voluntary disqualification of the judge.[59] However, holding a preliminary examination at the house of a relative of the political opponent of the accused's father, three to four kilometers from the town hall, at night, leads to the suspicion of partiality.[60]

But disqualification is proper if there is a natural indication that friendship will prejudice the case.[61]

An appellate court justice is not legally bound to inhibit himself from deciding an appeal where, as a trial court judge, he presided partly over the case below, heard part of the plaintiff's evidence and ruled on motions but did not himself render the decision therein. But it would have been better if he had voluntarily inhibited himself.[62]

On the other hand, a judge who had earlier enjoined the preliminary investigation of the accused at the Regional State Prosecutor's Office level cannot be considered to adequately possess such cold neutrality of an impartial judge in the trial proper.[63]

However, Rule 3.15 of the Code of Judicial Conduct provides for a Remittal of Disqualification in the following words:

> A judge disqualified by the terms of Rule 3.12 may, instead of withdrawing from the proceeding, disclose on the record the basis of disqualification. If based on such disclosure, the parties and lawyers independently of the judge's participation, all agree in writing that the reason for the inhibition is immaterial or insubstantial, the judge may participate in the proceeding.

The agreement signed by all parties and lawyers, shall be incorporated in the record of the proceedings.

3.2 Public Opinion

Rule 1.03 of the Code of Judicial Conduct provides that "a judge should be vigilant against any attempt to subvert the independence of the judiciary and resist any pressure from whatever source." Rule 3.02 adds that "in every case, a judge shall endeavor diligently to ascertain the facts and the applicable law unswayed by partisan interests, public opinion or fear of criticism." One of the subtle but powerful ways of trying to influence judges these days is to arouse public opinion concerning a pending case. While pervasive publicity is not per se prejudicial to the right of an accused to a fair trial,[64] a judge should nevertheless guard against the press being utilized in order to influence his decision through the mobilization of public opinion.

On the other hand, a judge should not seek publicity for personal vainglory.[65] A judge who gives the impression of being avid for publicity will also give the impression that the power of media can be used to influence him. He should not be moved by a desire to cater to public opinion to the detriment of the administration of justice.[66]

4. Ethical Rules Relating to Integrity

Over his competence and impartiality, the judge should put on the robe of integrity. The Supreme Court has emphasized that 'no position exacts a greater demand on moral righteousness and uprightness of an individual than a seat in the judiciary.'[67] The reason for this is that the public looks up to him as 'the epitome of integrity and justice'[68] and 'a virtuous and upright man.'[69]

The basic rule is that 'A judge should avoid impropriety and the appearance of impropriety in all activities.'[70]

The requirement of integrity begins even before a person is appointed to the Bench. The Supreme Court has pointed out that 'it behooves every prospective appointee to the judiciary to apprise the appointing authority of every matter bearing on his fitness for judicial office.'[71] A judge who violated this requirement was dismissed for dishonesty.[72]

One who occupies an exalted position in the administration of justice must pay a high price for the honor bestowed upon him, for his private as well as official conduct must at all times be free from the appearance of impropriety.[73] Being the subject of constant public scrutiny, a judge should freely and willingly accept restrictions on conduct that might be viewed as burdensome by the ordinary citizen.[74]

The judge must be the first to abide by the law and weave an example for others to follow. 'He should be studiously careful to avoid even the slightest infraction of the law.'[75] More than that, the Supreme Court has pointed out that 'the standards of integrity required by members of the Bench are not satisfied by conduct which barely enables one to escape the penalties of the criminal law.'[76]

A judge who falsifies his monthly certificate of service violates Rule 3.09 of the Code of Judicial Conduct which requires a judge to observe at all times the high standards of public service and fidelity.[77]

A judge was given stern reprobation for just hitching a ride with a party-litigant in going to and from the place of an ocular inspection, because by doing so, he exposed himself and his office to suspicion.[78]

The High Court also held that it is misconduct for a judge to use a car levied upon in execution by virtue of an order issued by him.[79]

The Supreme Court has held that the acceptance of fees for solemnizing marriages, even if voluntarily given, is reprehensible, 'for such act of the judge cheapened his public office as well as the entire judiciary in the eyes of the public.'[80] And a judge who solemnizes a marriage without a marriage license dismally fails to live up to his commitment to be the embodiment of competence, integrity and independence.[81]

While he may engage in vocational, civic and charitable activities, a judge should see to it that they do not interfere with the performance of his judicial duties or 'detract from the dignity of the court.'[82] Judges must not allow themselves to be distracted by other lawful enterprises.[83]

A judge should so behave at all times as to promote public confidence in the integrity and impartiality of the judiciary. He should not solicit for charities or enter into any business relation which, in the normal course of events, might bring his personal interest into conflict with the impartial performance of his official duties.[84]

A judge or any immediate member of his family shall not accept a gift, bequest, favor or loan from anyone except as may be allowed by law.[85] He should not willfully refuse to pay his debt.[86] In failing to pay for an airconditioner installed in his wife’s automobile by a shop owned by a party litigant, a judge was dismissed, the Supreme Court pointing out that 'it is this kind of gross and flouting misconduct that so quickly and surely corrodes the respect for law and the courts without which the government cannot continue and that tears apart the very bonds of society.'[87]

A judge should not hold office in his house[88] nor use his courtroom as a residence for his family in the courtroom.[89]

A judge should avoid assigning a female stenographer to his chamber. No female employee should be assigned inside the chamber of the judge, who is not his close relative, to avoid suspicion or temptation. He should always bear in mind the injunction about Cesar’s wife.[90]

Even in his social life, the judge should take care not to give the impression that he has lost his impartiality.

> Judges need not live in solitude but they should, however, in pending or prospective litigations before them, be scrupulously careful to avoid such action as may reasonably tend to waken the suspicion that their social or business relations or friendships constitute an element in determining their judicial course. Fraternizing with litigants tarnishes the judge’s appearance of impartiality.[91]

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Also, constant company with a lawyer tends to breed intimacy and camaraderie to the point that favors may be asked which the judge may find hard to resist.[92]

5. Social Justice

Finally, a judge should always be attuned to the demands of social justice, a principle embodied in Article XIII of the 1987 Constitution. 'He who has more in life should have more in law' is more than just a credo of government, but a principle enshrined in the Constitutional[93] mandate to afford protection to labor.[94]

The Supreme Court has cautioned that favoritism by judges becomes more odious if directed against one coming from the poor and dispossessed, and more consideration should be shown to one having less in life.[95] On the other hand, 'members of the bench should refrain from any conduct that would in any way give rise to the suspicion, whether unfounded or not, that he exhibits more concern for those blessed with affluence.'[96]

The Supreme Court has also held that, under the circumstances of that case, where the effect of a writ of preliminary mandatory injunction sought to be issued may cause great inconvenience, if not hardship to a poor litigant, a municipal judge should avoid issuing the same on a Saturday, to manifest greater fealty to the concern shown by the government for the underprivileged.[97]

> Precisely because the underprivileged are what they are, they require and deserve a greater degree of protection and assistance from the laws and the constitution, and from the courts and other State agencies, so that in spite of themselves, they can be powered to rise above themselves, and their situation.[98]

However, the Supreme Court has given the caveat that '[i]t is divinely compassionate no doubt to afford more in law to those who have less in life, but clear injustice to anyone amounts definitely to injustice to everyone and all hopes for judicial redress for wrongdoings would vanish if the even hand of law, justice and equity were to be made to favour anyone or any group of level of society, whoever they may be.'[99] In short, social justice must not be at the cost of distributive justice.

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[1] Talabon v. The Provincial Warden, 78 Phil. 599 [1947].

[2] Code of Judicial Conduct, Rule 1.01.

[3] Ibid.

[4] Constitution, Secs. 8 and 9, Art. VIII.

[5] 1989.

[6] Daplas v. Arquiza, A. M. No. 1129-MJ, August 21, 1980, 99 SCRA 141; Garcia v. Macaraig, Jr., A. C. No. 198-J, May 31, 1971, 39 SCRA 106; Ajeno v. Inserto, A. M. No. 1098-CFI, May 31, 1976, 71 SCRA 166; Lopez v. Fernandez, A. M. No. 2124-MJ, September 11, 1980, 99 SCRA 603.

[7] Bacar v. De Guzman, A. M. No. RTJ-96-1349, April 18, 1997, 271 SCRA 328.

[8] Mamolo, Sr. v. Narisma, A. M. No. MTJ-96-1072, January 31, 1996, 252 SCRA 613.

[9] Carpio v. de Guzman, A. M. No. 1098, May 31, 1976, 71 SCRA 166.

[10] Ajeno v. Inserto, supra, note 6.

[11] People v. Veneracion, G. R. Nos. 119987-88, October 12, 1995, 249 SCRA 244.

[12] Mayormente v. Robaco Corporation, No. L-25337, November 27, 1967, 21 SCRA 1080.

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[13] Amatan v. Aujero, A. M. No. RTJ-93-956, September 27, 1995, 248 SCRA 511.

[14] Secretary of Justice v. Catolico, A. C. No. 203-J, November 18, 1975, 68 SCRA 62; Albert v. Court of First Instance of Manila Br. VI, G. R. No. 26364, May 29, 1968, 23 SCRA 948.

[15] SC Circular No. 13, July 1, 1987.

[16] Code of Judicial Ethics, Canon 4.

[17] Castillo v. Juan, G. R. Nos. 39516-17, January 28, 1975, 62 SCRA 124.

[18] Code of Judicial Conduct, Rule 3.06.

[19] People v. Narajos, No. L-72814, March 31, 1987, 149 SCRA 99; Martinez v. Gironella, G.R. No. L-37635, July 22, 1975, 65 SCRA 245.

[20] Code of Judicial Conduct, Rule 3.03.

[21] De la Paz v. Inutan, A. M. No. 201-MJ, June 30, 1975, 64 SCRA 540.

[22] SC Circular No. 13, July 1, 1987.

[23] Impao v. Makilala, A. M. No. MTJ-88-184, October 13, 1989, 178 SCRA 541.

[24] Ignacio v. Valenzuela, Adm. Case No. 2252-CFI, January 18, 1982, 111 SCRA 12.

[25] Austria v. Masaquel, G. R. No. 22536, August 31, 1967, 20 SCRA 1247.

[26] Code of Judicial Conduct, Rule 3.04.

[27] Delgra, Jr. v. Gonzales, No. L - 24981, January 30, 1970, 31 SCRA 237.

[28] Royeca v. Animas No. L-39584, May 3, 1976, 71 SCRA 1.

[29] En Banc Resolution dated October 23, 1991 Re: Live TV and Radio Coverage of the Hearing of President Corazon C. Aquino’s Libel Case (People v. Beltran, CA-GR CR No. 13561, November 6, 1995).

[30] Code of Judicial Conduct, Rule 3.05.

[31] Nidua v. Lazaro, A. M. No. R-465-MTJ, June 29, 1989, 174 SCRA 634.

[32] Constitution, Sec. 15 (2), Art. VIII.

[33] Castro v. Malazo, A. M. No. 1237-CAR, August 21, 1980, 99 SCRA 165.

[34] Juan v. Animas, G. R. No. 39584, May 3, 1976, 71 SCRA 409.

[35] Constitution, Sec. 14, Art. VIII.

[36] Canons of Judicial Ethics, Canon 17.

[37] Code of Judicial Conduct, Rule 3.08.

[38] Ibid., Rule 3.09.

[39] Ibid., Rule 3.10.

[40] Ibid., Rule 3.11.

[41] Buenaventura v. Benedicto, A. C. No. 137-J, March 27, 1971, 38 SCRA 71.

[42] Belen v. Soriano, A. M. No. MTJ-94-920, January 20, 1995, 240 SCRA 298.

[43] Nidua v. Lazaro, supra, note 31.

[44] Pacuribot v. Lim, Jr., A. M. No. RTJ-97-1382, July 17, 1997, 275 SCRA 543.

[45] Lim v. Sequiban, A. M. No. R-612-MTJ, March 10, 1988, 158 SCRA 532.

[46] Gutierrez v. Santos, 112 Phil. 184 [1961].

[47] Martinez v. Gironella, supra, note 19.

[48] Geotina v. Gonzalez, G. R. No. 26310, September 30, 1971, 41 SCRA 66.

[49] Code of Judicial Conduct, Rule 3.07.

[50] Castillo v. Juan, supra, note 17.

[51] Pimentel v. Salanga, G. R. No. 27934, September 18, 1967, 21 SCRA 160; Dimacuha v. Concepcion, L-60842, September 30, 1982, 117 SCRA 630.

[52] Gutang v. Court of Appeals, G. R. No. 124760, July 8, 1998, 292 SCRA 76.

[53] People v. Serrano, G. R. No. 44712, October 28, 1991, 203 SCRA 171.

[54] Aparicio v. Andal, G. R. Nos. 86587-93, July 25, 1989, 175 SCRA 569; Mantaring v. Roman, Jr., A. M. RTJ-93-964, February 28, 1996, 254 SCRA 158.

[55] Castillo v. Juan, supra, note 17.

[56] Yulo-Tuvilla v. Balgos, A. M. No. MTJ-98-1149, March 31, 1998, 288 SCRA 358.

[57] Javier v. COMELEC, G. R. Nos. L-68379-81, September 22, 1986, 144 SCRA 194.

[58] Kuan Sing v. Baltazar, A. M. No. 810-CJ, May 30, 1975, 64 SCRA 249.

[59] Choa v. Chiongson, A. M. No. MTJ-95-1063, February 9, 1996, 253 SCRA 371.

[60] Fernandez v. Prebitero, 117 Phil 636 [1963].

[61] Masadao and Elizaga Re: Criminal Case No. 4954-M, A. M. No. 87-9-3918, RTC, October 26, 1987, 155 SCRA 72.

[62] Sandoval v. Court of Appeals, G. R. No. 106657, August 1, 1996, 260 SCRA 283.

[63] People v. Court of Appeals, G. R. No. 118882, September 26, 1996, 262 SCRA 452.

[64] People v. Teehankee, Jr., G.R. Nos. 111206-08, October 6, 1995, 249 SCRA 55.

[65] Code of Judicial Conduct, Rule 3.02.

[66] Go v. Court of Appeals, G. R. No. 101837, February 11, 1992, 206 SCRA 138.

[67] Naval v. Panday, A. M. RTJ-95-1283, July 21, 1997, 275 SCRA 654.

[68] Vedaña v. Valencia, A. M. No. RTJ-96-1351, September 3, 1998, 295 SCRA 1.

[69] Talens-Dabon v. Arceo, A. M. No. RTJ-96-1336, July 25, 1996, 259 SCRA 354.

[70] Code of Judicial Conduct, Canon 2.

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[71] Office of the Court Administrator v. Estacion, Jr., A. M. No. RTJ-87-104, January 11, 1990, 181 SCRA 33.

[72] Re: Inquiry on the appointment of Judge Enrique A. Cube, A. No. 93-7-428-MeTC, October 13, 1993 227 SCRA 193.

[73] Luque v. Kayanan, No. L - 26826, August 29, 1969, 29 SCRA 166; Otero v. Esguerra, A. M. No. 655-MJ, May 23, 1974, 57 SCRA 57; Jugueta v. Bencaros, A.M. No. 440-CFI, September 30, 1974, 60 SCRA 27.

[74] Castillo v. Calanog, A. M. No. RTJ-90-447, July 12, 1991, 199 SCRA 75.

[75] Cabrera v. Pajares, A. M. Nos. R-278-RTJ and R-309-RTJ, May 30, 1986, 142 SCRA 127.

[76] Re Judge Geronimo Baldo, MTC Calauan, Laguna, A. M. No. 93-9-741-0, November 7, 1997, 281 SCRA 523.

[77] Abarquez v. Rebosura, A. M. No. MTJ-94-986, January 28, 1998, 285 SCRA 109.

[78] Cabreana v. Avelino, A. M. No. 1733-CFI, September 30, 1981, 107 SCRA 640.

[79] Nate v. Agana, Sr., A. M. No. 690-CFI, June 29, 1979, 91 SCRA 1.

[80] Dysico v. Dacumos, A. M. No. MTJ-94-999, September 23, 1996, 262 SCRA 275.

[81] Moreno v. Bernabe, A. M. No. MTJ-94-963, July 14, 1995, 246 SCRA 120.

[82] Code of Judicial Conduct, Rule 5.01.

[83] Albos v. Alaba, A. M. No. MTJ-91-517, March 11, 1994, 231 SCRA 67.

[84] Buenaventura v. Benedicto, A. C. No. 137-J, March 11, 1994, 38 SCRA 71.

[85] Code of Judicial Conduct, Rule 5.04.

[86] Gargar de Julio v. Vega, A. M. No. RTJ-89-406, July 18, 1991, 199 SCRA 315.

[87] Ompoc v. Torrres, A. M. No. MTJ-86-11, September 27, 1989, 178 SCRA 14.

[88] Espayos vs. Lee, A. M. No. 1574-MJ, April 30, 1979, 89 SCRA 478.

[89] Impao v. Makilala, supra, note 23.

[90] Ritual v. Valencia, G. R. No. 1170-CFI, April 30, 1978, 85 SCRA 313.

[91] Cortes v. Agcaoili, A. M. No. RTJ-98-1414, August 20, 1998, 294 SCRA 423.

[92] Padilla v. Zantua, Jr., A. M. No. MTJ-93-888, October 24, 1994, 237 SCRA 670.

[93] (1935).

[94] Mayormente v. Robaco Corporation, supra, note 12.

[95] Villapando v. Quitain, No. L- 41733, January 20, 1977, 75 SCRA 24.

[96] Azupardo v. Buenviaje, A. M. No. 567-CFI, April 25, 1978, 82 SCRA 369.

[97] de Guzman v. de Leon, A.C. No. 1328-MJ, July 30, 1976, 72 SCRA 177.

[98] People v. Echagaray, G. R. No. 117472, February 7, 1997, 267 SCRA 682, 754 Separate Opinion.

[99] Federation of Free Farmers v. Court of Appeals, G. R. No. L-41161, September 10, 1981, 107 SCRA 352.

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