

**JUDGE JEOFFRE W. ACEBIDO, REGIONAL TRIAL COURT, BRANCH 41,
CAGAYAN DE ORO CITY, COMPLAINANT, VS. LUDYCISSA A.
HALASAN, COURT STENOGRAPHER III, AND JOEL A. LARGO,
UTILITY WORKER I...**

A.M. No. P-10-2803. March 30, 2011

Ponente: CARPIO, J.

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CARPIO, J.:

The Case

Before the Court is an administrative case for disgraceful and immoral conduct filed by Judge Jeoffre W. Acebido (Judge Acebido), Presiding Judge of the Regional Trial Court of Misamis Oriental, Branch 41, Cagayan de Oro City against Ludycissa A. Halasan (Halasan), Court Stenographer III, and Joel A. Largo (Largo), Utility Worker I of the Regional Trial Court, Branch 41, Cagayan de Oro City.

The Antecedent Facts

The case originated from a letter dated 27 October 2008 of Judge Acebido addressed to Ms. Caridad A. Pabello, Officer-in-Charge, Office of the Administrative Services, Office of the Court Administrator (OCA) objecting to the application for promotion of respondent Largo who was applying for the position of Process Server. In a letter dated 23 January 2009, Judge Acebido alleged that sometime in October 2008, he learned that Largo had an illicit relationship with respondent Halasan. Judge Acebido alleged that he recommended that Largo and Halasan be detailed to separate courts and his recommendation was approved by the Executive Judge.

The OCA treated Judge Acebido's letter as a complaint and required Largo and Halasan to file their respective comments.

In her comment, Halasan alleged that she had been separated with her husband for four years. She admitted that she had a relationship with Largo, who helped her in her times of trouble. However, her relationship with Largo already ended after she disclosed it to Atty. Nelison P. Salcedo, Branch Clerk of Court, and requested that she be transferred to another court. She stated that she was of the impression that the matter was already closed since her transfer. She begged for a chance to redeem herself for the sake of her seven children, all of whom depended solely on her for support.

In his comment, Largo likewise admitted his relationship with Halasan, which lasted for three months. He alleged that he regretted that he took advantage of Halasan's emotional weakness and vulnerability and that he already distanced himself from her since his transfer to another office.

The Recommendation of the OCA

In its evaluation of the case, the OCA stated that Halasan disclosed that her relationship with Largo started sometime in July 2008. On the other hand, Largo admitted that the relationship lasted for three months or until he and Halasan were detailed to separate courts. In view of the admissions made by respondents, the OCA stated that there is no need to require further proof of the relationship.

The OCA recommended that:

- the 23 January 2009 Letter of Judge Jeoffre W. Acebido, Regional Trial Court, Branch 41, Cagayan de Oro City, be RE-DOCKETED as a formal administrative complaint against Ludycissa A. Halasan, Court Stenographer III and Joel A. Largo, Utility Worker I, same court;
- respondents Halasan and Largo be found GUILTY of disgraceful and immoral conduct and be both suspended from the office for six (6) months and one (1) day without pay; and
- respondents Halasan and Largo be STERNLY WARNED that they will be dismissed from the service should they resume with their illicit affair or commit the same or similar acts in the future.

In its 2 July 2010 Resolution, the Court re-docketed the letter of Judge Acebido as a formal administrative complaint and required the parties to manifest whether they are willing to submit the matter for resolution on the basis of the pleadings filed and the records submitted.

Halasan and Largo submitted their respective manifestations on their willingness to submit the case for resolution on the basis of the pleadings filed and records submitted. Judge Acebido submitted a letter that he could not comply with the 2 July 2010 Resolution because he had not filed an administrative complaint against Halasan and Largo.

The Issue

The sole issue in this case is whether respondents Halasan and Largo are guilty of disgraceful and immoral conduct.

The Ruling of this Court

The Court once again reminds its employees that the image of a court of justice is mirrored in the conduct, official or otherwise, of the women and men who work in the judiciary, from the judge to the lowest of its personnel.[1] Court employees are enjoined to adhere to the exacting standards of morality and decency in their professional and private conduct in order to preserve the good name and integrity of the court of justice.[2]

In this case, we found respondents Halasan and Largo guilty of disgraceful and immoral conduct for which they may be held administratively liable.[3[] The Court agrees with the OCA that due to respondents' admission of their relationship, there is no need to present any other evidence to prove the allegations in Judge Acebido's letter.

Under the Civil Service Rules, immoral conduct is a grave offense punishable with suspension from six months and one day to one year for the first offense.[4] Considering that this is the first offense on the part of respondent Largo, and that his relationship with Halasan had already ceased and they were no longer working in the same station, we deem it proper to impose the penalty of suspension in its minimum period to respondent Largo.

As regards respondent Halasan, the Court is not precluded from tempering justice with mercy,[5] considering the following circumstances in this case:

- Halasan has been separated in fact from her husband for four years when the relationship with Largo happened;

- She has been an employee of the Court for 19 years;
- She solely supports five of her children who lives with her, including three minor children, one of whom is very sickly. The suspension of Halasan from the service will be a heavy toll on the children who are innocent victims in this case;
- She volunteered to be detailed to another station to stay away from respondent Largo and to cut the relationship;
- Respondent Largo admitted that he took advantage of Halasan's emotional weakness and vulnerability; and
- This case is the first time that Halasan is being found administratively liable.

Hence, instead of the penalty of suspension, we impose upon respondent Halasan a fine of P10,000.

WHEREFORE, we impose upon respondent Joel A. Largo the penalty of SUSPENSION for six months and one day without pay, with a stern warning that a repetition of the same or similar conduct in the future will be dealt with more severely. We impose upon respondent Ludycissa A. Halasan a FINE in the amount of P10,000 with a warning that a repetition of the same or similar conduct in the future will be dealt with more severely.

SO ORDERED.

Nachura, Peralta, Abad, and Mendoza, JJ., concur.

[1] Re: Anonymous Letter-Complaint against Jesusa Susana Cardozo, Clerk III, RTC Branch 44, Dagupan City, A.M. No. P-06-2143, 12 June 2008, 554 SCRA 262.

[2] Licardo v. Licardo, A.M. No. P-06-2238, 27 September 2007, 534 SCRA 181.

[3] Villanueva v. Court of Appeals, G.R. No. 167726, 20 July 2006, 495 SCRA 824.

[4] Gonzales v. Martillana, 456 Phil. 59 (2003).

[5] See Ramos v. Ramos, A.M. No. CA-07-22-P, 25 January 2008, 542 SCRA 341, and Floria v. Sunga, 420 Phil. 637 (2001).

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