

JUDGE BRICCIO B. AQUINO, COMPLAINANT, VS. LETICIA U. ISRAEL, CLERK OF COURT I; JULIET L. DUPAYA, COURT STENOGRAPHER; ULYSSES D. DUPAYA, CLERK IV; ROSELLER O. ISRAEL, CASHIER I; ...

A.M. No. P-04-1800 [OCA IPI No. 01-1243-P]. March 25, 2004

Ponente: YNARES-SATIAGO, J.

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YNARES-SATIAGO, J.:

Fighting between court employees during office hours is a disgraceful behavior reflecting adversely on the good image of the judiciary. It displays a cavalier attitude towards the seriousness and dignity with which court business should be treated. Shouting at one another in the workplace and during office hours is arrant discourtesy and disrespect not only towards co-workers, but to the court as well.[1]

On July 26, 2001, the respondents, all court employees of Municipal Trial Court of Lal-lo, Cagayan, Branch 2, engaged in a verbal tussle which resulted in physical violence.

When ordered[2] to explain their participation in the aforesaid incident, the respondents submitted their respective versions of the facts.

Respondents Ulysses and Juliet Dupaya alleged that at around 10:00 a.m. of July 26, 2001, Juliet Dupaya and Leticia Israel had a heated argument. Ulysses, husband of Juliet, approached the two and told them to stop. Ulysses brought his wife to the office of the Clerk of Court followed by Leticia Israel. When the Dupaya spouses entered the office, respondent Roseller Israel, Leticia's husband, suddenly stood up from his desk and made a gesture to attack Ulysses. In defense, Ulysses pushed Roseller backwards. Respondent Emil Siriban attacked and boxed Ulysses in the face and in other parts of the body. Respondent James Lorilla intervened and prevented Emil from further attacking Ulysses.

Roseller and Leticia alleged that at around 10:00 a.m. of July 26, 2001, while the two of them were sitting inside the Office of the Clerk of Court, the Dupaya spouses arrived and confronted Leticia. Ulysses asked Leticia in a threatening voice, "What do you want now?" He raised his hand as if to slap the latter. When Roseller asked Ulysses what was wrong, the latter cursed him and hit him on the right cheek with his fist.[3] Thereafter, Ulysses turned to pick up a chair but respondent Emil Siriban told him not to harm Roseller. Ulysses turned towards Emil with his fist closed. Sensing danger, Emil swung his right hand towards Ulysses but failed to hit him. He threw another punch and hit the right neck of Ulysses. Roseller then pushed Ulysses towards the door of the office where the two of them grappled and fell to the ground. While Emil was trying to separate the two, Roseller was hit at the back by respondent James Lorilla. The other officemates of the respondents tried to pacify them but failed. It was only when the police arrived that the scuffle stopped.

Respondent Emil Siriban corroborated the narration of the Israel spouses.

On August 7, 2001, Judge Briccio Aquino of the Municipal Trial Court of Lal-lo, Cagayan wrote a letter-complaint to the Office of the Court Administrator against respondents.

On August 4, 2003, the parties were required to manifest if they are willing to have the case resolved on the basis of the pleadings/records on file. On September 5, 2003, Judge Aquino manifested that, since the respondents have already patched up their differences and are now in good harmony with each other, the complaint should be dismissed and/or resolved in favor of the respondents. All the respondents submitted their joint manifestation stating that they have patched up their differences and that they are submitting the case with the prayer that the same be dismissed.

We find the respondents guilty of committing Misconduct in Office.

Time and again, we have stressed that the conduct and behavior of everyone connected with an office charged with the dispensation of justice is circumscribed with a heavy burden of responsibility.[4] The records reveal that the action of the respondents against each other fell short of this standard.

Misconduct is a transgression of some established or definite rule of action; more particularly, it is an unlawful behavior by the public officer.[5] High-strung and belligerent behavior has no place in government service where the personnel are enjoined to act with self-restraint and civility at all times even when confronted with rudeness and insolence.[6] Such conduct is exacted from them so that they will earn and keep the public's respect for and confidence in the judicial service.[7] This standard is applied with respect to a court employee's dealings not only with the public but also with his or her co-workers in the service. Conduct violative of this standard quickly and surely corrodes respect for the courts.[8]

Notwithstanding the allegation of both the complainant and the respondents that the parties have patched things up and have put the incident behind them, we will not shirk from our duty to impose the proper penalty upon the erring parties. The withdrawal or desistance of a complainant from pursuing an administrative complaint does not divest the Court of its disciplinary authority over court personnel.[9]

We take this opportunity to remind, not only the respondents, but all court personnel as well that the image of the judiciary is mirrored in the kind of conduct, official or otherwise, which the personnel within its employ display, from the judge to the lowliest clerk. Any fighting or misunderstanding becomes a disgraceful sight reflecting adversely on the good image of the judiciary. Professionalism, respect for the rights of others, good manners and right conduct are expected of all judicial officers and employees. Thus, all employees are required to preserve the judiciary's good name and standing as a true temple of justice.[10]

WHEREFORE, respondents Leticia U. Israel, Roseller O. Israel, Juliet L. Dupaya, Ulysses D. Dupaya, Emil A. Siriban and James D. Lorilla are FINED One Thousand Pesos each for misconduct in office. All respondents are STERNLY WARNED that a repetition of the same or similar act(s) in the future shall be dealt with more severely.

SO ORDERED.

Davide, Jr., C.J. (Chairman), Carpio, and Azcuna, JJ., concur.
Panganiban, J., on official leave.

[1] *Apaga v. Ponce*, A.M. No. P-95-1119, 21 June 1995, 245 SCRA 233.

[2] July 30, 2001 Memorandum of Judge Briccio Aquino; Rollo, p. 2.

[3] Rollo, pp. 7-8, 13-14.

[4] *Re: Ms. Teresita S. Sabido*, A.M. No. 94-3-20-MCTC, 17 March 1995, 242 SCRA 432.

[5] Office of the Court Administrator v. Bucoy, A.M. No. P-93-953, 25 August 1994, 235 SCRA 588.

[6] Policarpio v. Fortus, A.M. No. P-95-1114, 18 September 1995, 248 SCRA 272.

[7] Tablate v. Seechung, A.M. No. 92-10-425-OMB, 15 July 1994, 234 SCRA 161.

[8] Quiroz v. Orfila, A.M. No. P-96-1210, 7 May 1997, 272 SCRA 324.

[9] Casanova v. Cajayon, A.M. No. P-02-1595, 3 April 2003.

[10] Id.

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