

**Title:** Atty. Hugolino V. Balayon, Jr. v. Judge Gaydifredo O. Ocampo, En Banc, 291-A Phil. 15 (1991)

**Facts:**

1. **First Complaint:**

- Ronilo Hijastro sought legal assistance from Judge Ocampo regarding a land dispute with Romeo Panes, alleging his brother unlawfully withheld copra. Judge Ocampo wrote a letter to the local Police Station Commander asking for police assistance for Hijastro.
- Atty. Balayon accused Judge Ocampo of private practice and misconduct, insinuating he benefitted from the subsequent sale of copra.
- Judge admitted writing the letter but denied ulterior motives or receiving any share from the sale.
- The Supreme Court did not find grave misconduct, emphasizing the need for judges to avoid the appearance of impropriety.

2. **Second Complaint:**

- Lt. Sulam filed theft charges and requested search/arrest warrants for Tony Joven. These were issued by Judge Ocampo.
- Balayon filed a motion to quash, arguing lack of personal knowledge by affidavits supporting the warrants, which were later revoked by Judge Ocampo for the search warrant but not the arrest.
- The Supreme Court found no malice, noting judicial discretion in reviewing and amending orders.

3. **Third Complaint:**

- Theft charges were filed against Jose Catapang and Norberto Solis based on witness statements. Judge conducted clarificatory hearings and issued arrest warrants.
- Balayon argued improper warrant issuance due to lack of personal knowledge.
- Supreme Court noted no malice but advised Judge Ocampo to exercise prudence in future warrant issuances.

4. **Fourth Complaint:**

- In a slight physical injuries case, a witness without a prior affidavit was allowed to testify, despite objections.
- Court found no error in Judge Ocampo's actions based on applicable rules.

5. **Fifth Complaint:**

- Judge Ocampo notarized documents not related to judiciary, despite local availability of notaries public, against Court resolutions.
- He admitted some unauthorized acts due to urgency and claimed fees were government property.
- Judge fined for unauthorized notarial acts.

6. **Sixth Complaint:**

- Conviction in a grave threats case was reversed on appeal due to reasonable doubt.
- Complaint suggested Judge's decision showed incorrect evidence appreciation.
- The Court found no bad faith or gross error in judgment.

7. **Seventh Complaint:**

- Theft case involving government roof sheets was dismissed by Judge Ocampo following his own ocular inspection, citing absence of theft elements.
- Balayon claimed dismissal was biased due to personal connections.
- Supreme Court believed credible evidence of Judge's bias, hence admonished him.

8. **Eighth Complaint:**

- Balayon's demurrer to evidence in a theft case was denied by Judge Ocampo.
- Balayon accused Judge of ignorance or misconduct.
- Supreme Court dismissed the complaint, stating Judge Ocampo acted within his judicial discretion.

**Issues:**

1. Did Judge Ocampo engage in misconduct by advising a civilian against using legal counsel?
2. Were the search and arrest warrants issued improperly due to lack of personal knowledge?
3. Did improper procedural actions during summary proceedings equate to gross ignorance of law?
4. Is notarizing documents outside of judicial duty a misconduct?
5. Does a reversal of conviction indicate habitual erroneous judgment?

**Court's Decision:**

1. **First Complaint:** Judge Ocampo should avoid actions that could imply impropriety and adhere to judicial conduct avoiding such appearances.

2. **Second Complaint:** The issuance of warrants was not done with malice; therefore, the complaint was dismissed.
3. **Third Complaint:** There was no malice, but Judge Ocampo was advised to improve his judgment on warrants.
4. **Fourth Complaint:** Judge Ocampo did not err in procedural interpretation; dismissed.
5. **Fifth Complaint:** Judge fined and warned for disregarding notarial practice regulations.
6. **Sixth Complaint:** No bad faith in judgment, dismissal due to inadequate evidence.
7. **Seventh Complaint:** Judge's approach to investigations criticized; advised for careful adjudication.
8. **Eighth Complaint:** Judicial discretion upheld; complaint dismissed.

**Doctrine:**

- Judges must adhere to principles in the Code of Judicial Conduct to avoid misconduct and appearances of impropriety.
- Judicial discretion must be balanced with the law, ensuring actions are not perceived as malice-driven.
- The procedural correctness is vital in maintaining judges' neutrality and fidelity to statutory obligations.

**Class Notes:**

- **Judicial Misconduct:** Proving misconduct requires evidence of corrupt or intentional legal violations.
- **Warrant Issuance:** Personal knowledge by affiants is crucial for validity.
- **Notarial Authority:** Judges' power as notaries should not conflict with judicial duties.
- **Legal Procedures:** Strict adherence to procedural rules prevents claims of ignorance or misconduct.

**Historical Background:**

The case arose in the context of encouraging streamlined and fair judicial processes post-martial law in the Philippines, reinforcing judiciary trustworthiness and accountability in the eyes of the public. The 1989 Code of Judicial Conduct aimed to professionalize and ethically guide judges amid societal transitions in legal frameworks.