

November 19, 2004 (Case Brief / Digest)  
**\*\*Title\*\***: Discreet Investigation of Anonymous Complaint Against Judge Renante N. Bacolod

**\*\*Facts\*\***:

1. On August 24, 2015, an anonymous complaint was filed against Judge Renante N. Bacolod, the presiding judge of the Municipal Circuit Trial Court (MCTC) at Mandaon-Balud, Masbate.
2. The complaint accused Judge Bacolod of immorality, maintaining an irregular calendar of court hearings, engaging in corrupt practices, being involved in drugs, and grave misconduct for solemnizing marriages outside his jurisdiction.
3. The Office of the Court Administrator (OCA) referred the case to Executive Judge Manuel L. Sese for investigation.
4. Judge Sese found that Judge Bacolod was cohabiting with a woman other than his legal wife and maintained irregular court hearing schedules but did not find direct evidence of corruption, drug involvement, or grave misconduct.
5. Judge Bacolod responded by admitting he was separated in fact from his legal wife and justified the irregular court schedules as being due to various practical difficulties, including scheduling with lawyers, absence of facilities, and his assignments in inhibited cases in other courts.
6. He denied the drug allegations and claimed his marriage solemnization activities were correctly within jurisdiction with minimal fees collected.
7. Judge Bacolod provided government-issued clearances to vouch for his clean criminal record.
8. The OCA's Chief of Legal Office recommended the complaint be closed for lack of evidence on certain charges but advised stern warnings.
9. In 2018, the OCA re-docketed the complaint as a regular administrative matter, finding Judge Bacolod guilty of immorality and habitual absenteeism while dismissing the charges of corruption and drug peddling.

**\*\*Issues\*\***:

1. Whether Judge Bacolod is guilty of immorality for cohabiting with a woman other than his legal wife.
2. Whether Judge Bacolod maintained an irregular calendar of court hearings and was habitually absent.
3. Whether Judge Bacolod was involved in corrupt practices, drugs, and grave misconduct for solemnizing marriages outside jurisdiction.
4. Appropriateness of penalties recommended by OCA for the established charges.

**Court's Decision:**

1. **Immorality:** The Supreme Court affirmed Judge Bacolod's guilt of immorality due to his de facto separation and continued cohabitation with another woman. His explanation of being "in pari delicto" with his legal wife did not absolve his responsibility towards proper conduct expected from a judge.
2. **Irregular Court Hearings and Absenteeism:** The Court upheld the finding of guilt in maintaining an irregular schedule and absenteeism. The Court underscored the mandated session hours were not met by Judge Bacolod, observing discrepancies in submitted Certificates of Service, implying falsification.
3. **Corrupt Practices, Drug Involvement, Grave Misconduct:** The Court agreed with the OCA's dismissal of these charges due to insufficient evidence. The complaint lacked substantial evidence, vital under administrative proceedings standards to establish culpability.

**Doctrine:**

- Legal professionals, especially judges, must adhere strictly to professional ethics. Immorality undermines public confidence in the judiciary.
- Judicial officers are required to observe mandated court session timings closely. Habitual absence or irregular schedules can undermine the judicial process and are sanctioned.
- Administrative charges require substantial evidence. Lacking this, charges should be dismissed.

**Class Notes:**

- **Immorality in Judiciary:** Involves indecent conduct detrimental to the judicial office's integrity and public trust.
- **Sessions and Attendance:** Trial judges must adhere to official court hours with deviations leading to intervention.
- **Repair Burden of Proof:** In administrative law, substantial evidence, a lower threshold than criminal cases, is needed to establish charges.

**Historical Background:**

During this period, consistent judicial discipline efforts were emphasized to refocus on the integrity of judicial institutions. The decision reflects broader judicial reforms aiming to ensure probity and reliability in legal professionals beyond their office roles. The case underscores the judiciary's internal mechanisms in upholding ethical standards.