



Republic of the Philippines
Supreme Court
Baguio City

EN BANC

HON. SHARON MAGAYANES,
Vice Executive Judge/Presiding
Judge, Branch 3, Municipal Trial
Court in Cities [MTCC],
Calamba City, Laguna,
Complainant,

A.M. No. MTJ-23-014
[Formerly JIB FPI No. 21-
024-MTJ]

-versus-

HON. LEAH ANGELI B.
VASQUEZ-ABAD, Executive
Judge/Presiding Judge, Branch 1,
MTCC, Calamba City, Laguna,
Respondent.

X-----X

JUDGE LEAH ANGELI B.
VASQUEZ-ABAD,
Complainant,

A.M. No. MTJ-23-015
[Formerly JIB FPI No. 21-
032-MTJ]

-versus-

HON. SHARON M. ALAMADA-
MAGAYANES, Presiding Judge,
MS. RACHEL WORWOR-
MIGUEL, Clerk of Court III, and
MS. BEVERLY A. DE JESUS,
Court Stenographer II, all of

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**Branch 3, MTCC, Calamba City,
Laguna,**

Respondents.

X-----X

**HON. LEAH ANGELI B.
VASQUEZ-ABAD, Executive
Judge/Presiding Judge, Branch 1,
MTCC, Calamba City, Laguna,
and HON. ERIC ISMAEL P.
SAKKAM, Presiding Judge,
Branch 2, MTCC, Calamba City,
Laguna,**

Complainants,

**A.M. No. MTJ-24-026
[Formerly JIB FPI No. 21-
033-MTJ]**

-versus-

**HON. SHARON M. ALAMADA-
MAGAYANES, Presiding Judge,
Branch 3, MTCC, Calamba City,
Laguna,**

Respondent.

X-----X

**JUDGE SHARON A.
MAGAYANES, Vice Executive
Judge and Presiding Judge,
Branch 3, MTCC, Calamba City,
Laguna,**

Complainant,.

**A.M. No. MTJ-24-027
[Formerly JIB FPI No. 21-
042-MTJ]**

Present:

-versus-

**JUDGE ISMAEL P. SAKKAM,
Presiding Judge, Branch 2, and
JUDGE LEAH ANGELI B.
VASQUEZ-ABAD, Executive
Judge and Presiding Judge,
Branch 1, both of the MTCC,
Calamba City, Laguna,**

Respondents.

**GESMUNDO, C.J.,
LEONEN,
CAGUIOA,
HERNANDO,
LAZARO-JAVIER,
INTING,
ZALAMEDA,
LOPEZ, M.,
GAERLAN,
ROSARIO,
LOPEZ, J.,
DIMAAMPAO,
MARQUEZ,***

* No part.

KHO, JR., and
SINGH, JJ.**Promulgated:**

April 11, 2024



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DECISION***PER CURIAM:***

Before the Court are four consolidated administrative cases involving closely-related sets of facts and identical parties.

The Facts

*A.M. No. MTJ-23-014 [Formerly JIB
FPI No. 21-024-MTJ]*

Hon. Sharon M. Alamada¹ (**Judge Alamada**), Vice-Executive Judge and Presiding Judge of Branch 3, Municipal Trial Court in Cities (**MTCC**), Calamba City, Laguna, filed the Complaint,² dated June 1, 2021, against Hon. Leah Angeli B. Vasquez-Abad (**Judge Abad**), Executive Judge and Presiding Judge of Branch 1, MTCC, Calamba City, Laguna, charging the latter of Gross Ignorance of the Law and Rules of Procedure.

Judge Alamada alleged that on April 20, 2021, the Office of the City Prosecutor filed four Informations, docketed as Criminal Case Nos. 65207-21 to 65210-21, all against Jeffrey Ostil Tamayo (**Tamayo**). On April 22, 2021, Tamayo applied for bail by posting a bond. Thereafter, Judge Abad made an assessment of probable cause and issued an Order, dismissing *motu proprio* three out of the four cases prior to their raffle, as follows: Criminal Case No. 65207-21—Resistance and Disobedience; Criminal Case No. 65209-21—Violation of Section 56(e) of Republic Act No. 4136;³ and Criminal Case No. 65210-21—Simple Disobedience, which are all governed by the Rule on Summary Procedure.⁴

¹ Formerly Judge Sharon M. Alamada-Magayanes, annulled 2021.

² *Rollo* (A.M. No. MTJ-23-014), pp. 2–17.

³ Republic Act No. 4136 (1964), Land Transportation and Traffic Code.

⁴ *Rollo* (A.M. No. MTJ-23-014), p. 3.

On April 26, 2021, Criminal Case No. 65208-21, which was for violation of a city ordinance, was subsequently raffled to Judge Alamada. Tamayo pleaded guilty during the hearing on the following day.⁵

According to Judge Alamada, Judge Abad's action in determining probable cause when Tamayo applied for bail is an exercise of adjudicatory power which cannot be exercised by an Executive Judge, pursuant to the Rules. It is also contrary to the following: (1) Administrative Matter No. 05-08-26-SC, where the power to conduct preliminary investigation from judges of First Level Courts was removed; (2) A.M. No. 03-8-02-SC, particularly the definition of the prerogatives and duties of Executive Judges; (3) Section 12 paragraph (b) of the Revised Rule on Summary Procedure; and (4) the Court's ruling in the case of *Crespo v. Mogul*,⁶ where it was held that once a complaint or Information is filed in court, any disposition of the case as to its dismissal or conviction or acquittal of the accused rests in the sound discretion of the court.⁷

During the raffle on April 26, 2021, Judge Abad did not initially join the raffle through video conferencing, and Judge Alamada presided. However, as there was an issue with regard to the raffle, Judge Abad eventually joined. During the raffle, it was mentioned that the issue involving the Executive Judge's power will be elevated to the Office of the Court Administrator (OCA) for guidance over the matter.⁸

In the afternoon of the same day, Judge Alamada sent an e-mail to then Deputy Court Administrator, now Court Administrator, Raul B. Villanueva (**Court Administrator Villanueva**), requesting for clarification on the matter. In his response, Court Administrator Villanueva stated that:

To be clear, the role of [Judge Abad] regarding newly-filed cases are to have them raffled. If bail is being applied before raffle, the Guidelines on the Decongestion of Holding Jails require her to raffle the case immediately and she cannot act thereon if the case was not raffled to her, much less determine the existence or absence of probable cause. The [Executive Judge] only acts on applications for bail for raffled cases to courts where all the Judges are not around or when the [Executive Judge] is the pairing court wherein the Judge is absent.⁹

Judge Alamada alleged that this is not the first time that Judge Abad was grossly ignorant of the rules and the law. On January 19, 2018, when an

⁵ *Id.*

⁶ 235 Phil. 465 (1987) [Per J. Gancayco, *En Banc*].

⁷ *Rollo* (A.M. No. MTJ-23-014), p. 4.

⁸ *Id.* at 8.

⁹ *Id.* at 9.

accused who was caught *in flagrante* was applying for bail, Judge Abad made a determination of probable cause. She did not require the accused to post bail and immediately ordered his release without bail. Since the said case was raffled to Judge Alamada, she was able to rectify it. However, as claimed by Judge Alamada, the three cases which were *motu proprio* dismissed were not initially included in the raffle; thus, there will be no opportunity for her to rectify the mistake.¹⁰

Lastly, Judge Alamada argued that the imposition of preventive suspension against Judge Abad is imperative as there is a strong likelihood of the latter's guilt of the serious charge of Gross Ignorance of the Law and Rules of Procedure.¹¹

In her Comment,¹² dated September 10, 2021, Judge Abad asserted that she exercised good faith in dismissing Criminal Case Nos. 65207-21, 65209-21, and 65210-21. According to Judge Abad, Criminal Case No. 65207-21, for Resistance and Disobedience to Authority, was dismissed as the second element of the crime—that the offender resists or seriously disobeys such person in authority or his agent—was not present in this case, and that there is no allegation in the Information that the Barangay Police Security Officers gave any direct order to Tamayo which the latter seriously disobeyed.¹³

Criminal Case No. 65209-21, for Violation of Section 56(a) of Republic Act No. 4136, otherwise known as the Land Transportation and Traffic Code, was dismissed for being premature as the case should have been initially reported to the Traffic Adjudication Service of the Land Transportation Office (LTO).¹⁴ Judge Abad also found that the apprehending officer failed to show that he had the express authority from the Commissioner of the LTO or his Deputies to file the case in court.

Criminal Case No. 65210-21, for Simple Disobedience, was dismissed as the second element of the crime—that the offender disobeys such agent of a person in authority, was not present in this case as there is no allegation in the Information that the police officers gave a direct order to Tamayo which the latter disobeyed.¹⁵

Judge Abad claimed that her action in issuing the Orders, dated April 22, 2021, was borne out of “ingrained practice of studying immediately the

¹⁰ *Id.* at 11.

¹¹ *Id.* at 14.

¹² *Id.* at 96–143.

¹³ *Id.* at 108.

¹⁴ *Id.*

¹⁵ *Id.* at 109.

records of the cases whenever an Information is filed.” More so, this practice of studying and evaluating the records is further observed when an application for bail is filed, even before the Branches 2 and 3 [of the MTCC] were organized.”¹⁶

Judge Abad maintained that her Orders dismissing the three criminal cases were issued in good faith and with due regard to Supreme Court Administrative Circular No. 33-2020,¹⁷ dated March 31, 2020. She also cited OCA Circular No. 89-2020, dated April 3, 2020, which suspended the raffle of newly-filed cases and required the Judge-on-Duty to resolve all urgent matters brought before him or her, in accordance with A.C. No. 33-2020, which included the determination of probable cause.¹⁸

Thereafter, OCA Circular No. 94-2020 was issued, and the Judge-on-Duty arrangement was discontinued. Judge Abad cited the following provisions of the said Circular:

1. The procedure for the raffle of cases laid down in [Administrative Matter] No. 03-8-02-SC, approved by the Court *en banc* on [January 27,] 2004, shall be complied with as far as practicable.

....

9. Considering that the regular raffle of cases has resumed, the judge-on-duty arrangement provided in [Administrative Circular] No. 31-2020 is hereby discontinued. All urgent matters that have to be acted upon on any given day shall be referred to the Executive Judge for appropriate action, or in the absence of the Executive Judge, to the Vice Executive Judge.¹⁹

Judge Abad claimed that she construed the phrase “as far as practicable” in the OCA Circular No. 94-2020 to be consistent with the general and specific powers of the Executive Judge as stated in Chapters IV and V of Administrative Matter No. 03-8-02-SC,²⁰ which provide as follows:

Executive Judges shall, within their respective area of administrative supervision:

....

¹⁶ *Id.* at 110.

¹⁷ Titled “Re: Online Filing of Complaint or Information and Posting of Bail due to the Rising Cases of COVID-19 Infection.”

¹⁸ *Rollo* (A.M. No. MTJ-23-014), p. 113.

¹⁹ *Id.* at 113–114.

²⁰ Titled “Guidelines on the Selection and Designation of Executive Judges and Defining their Powers, Prerogatives and Duties,” effective on February 15, 2004.

(h) Exercise such other powers and prerogatives as may be necessary or incidental to the performance of their functions in relation to court administration; and

(i) Perform such other functions and duties as may be assigned by the Supreme Court or the Court Administrator.²¹

Judge Abad also asserted that while she dismissed the three criminal cases in good faith, she took into consideration the comments of Judge Alamada and immediately sought clarification thereon from the OCA.²² Acting on the response of Court Administrator Villanueva to her letter, Judge Abad recalled her April 22, 2021 Orders via separate Orders, all dated April 30, 2021, in Criminal Case Nos. 65207-21, 65209-21, and 65210-21.

As regards Judge Alamada's allegation that Judge Abad had previously "made a determination of probable cause and consequently did not require the accused to post bail and immediately ordered his release without bail,"²³ Judge Abad contended that she ordered the release of the accused as it would be absurd to detain the accused for a crime for which public censure, not imprisonment, is the penalty.²⁴

Judge Abad added that she did not make a determination of probable cause, but merely acted upon the Motion to Admit Cash Bond filed by the accused on January 18, 2018 and ascertained the propriety of the accused's continuous detention from January 15, 2018 to January 19, 2018 for an offense punishable by a penalty of public censure.²⁵ She cited the following provisions as basis for her action: (1) Rule 114, Section 3 of the Revised Rules on Criminal Procedure;²⁶ (2) Article 29²⁷ of the Revised Penal Code, as

²¹ *Rollo* (A.M. No. MTJ-23-014), p. 114.

²² *Id.* at 115–116.

²³ *Id.* at 11.

²⁴ *Id.* at 120.

²⁵ *Id.* at 121.

²⁶ SEC. 3. No release or transfer except on court order or bail. — No person under detention by legal process shall be released or transferred except upon order of the court or when he is admitted to bail.

²⁷ Article 29. Period of preventive imprisonment deducted from term of imprisonment. —

.....

Whenever an accused has undergone preventive imprisonment for a period equal to the possible maximum imprisonment of the offense charged to which he may be sentenced and his case is not yet terminated, he shall be released immediately without prejudice to the continuation of the trial thereof or the proceeding on appeal, if the same is under review. Computation of preventive imprisonment for purposes of immediate release under this paragraph shall be the actual period of detention with good conduct time allowance; *Provided, however,* That if the accused is absent without justifiable cause at any stage of the trial, the court may *motu proprio* order the rearrest of the accused: *Provided, finally,* That recidivists, habitual delinquents, escapees and persons charged with heinous crimes are excluded from the coverage of this Act. In case the maximum penalty to which the accused may be sentenced is

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amended by Republic Act No. 10592, otherwise known as “An Act Providing that Bail shall not, with certain exceptions, be required in cases;²⁸ and (3) Rule 114, Section 16 of the Revised Rules on Criminal Procedure.²⁹

Judge Abad maintained that she has effectively refuted the claim of Gross Ignorance of the Law imputed to her, and that Judge Alamada has not adduced substantial proof for the latter’s charge against her. Also, Judge Abad assured that the Judicial Integrity Board (JIB) shall have an unhampered formal investigation, with all pertinent court records open for perusal. Thus, Judge Alamada’s prayer for preventive suspension should be denied.³⁰

*A.M. No. MTJ-23-015 [Formerly JIB
FPI No. 21-032-MTJ]*

In her Letter-Complaint,³¹ dated July 19, 2021, addressed to Hon. Alexander G. Gesmundo (**Chief Justice Gesmundo**), Chief Justice of the Supreme Court of the Philippines, and subscribed before Judge Sakkam, Judge Abad charged Judge Alamada with Dishonesty, Misconduct, and Violation of the Code of Judicial Conduct (**CJC**).

Judge Abad alleged that on July 9, 2021, Sandy Labarite Eraga (**Eraga**) arrived at her office and asked for help regarding his previous employment with Judge Alamada. Eraga wanted to inform the Personnel Department (City Human Resources Management Office) of the Calamba City Local Government Unit (**LGU**) that he already resigned from his employment with Judge Alamada on September 24, 2020, and that his name should no longer be included in the list of Calamba City Job Order (**JO**)/Casual Employees assigned to the courts. Eraga sought the help of Judge Abad because he was afraid of what Judge Alamada might do to him or to his new employment.³²

destierro, he shall be released after thirty (30) days of preventive imprisonment. (Emphasis in the original)

²⁸ Approved on May 29, 2013.

²⁹ SEC. 16. Bail, when not required; reduced bail or recognizance. — No bail shall be required when the law or these Rules so provide.

When a person has been in custody for a period equal to or more than the possible maximum imprisonment prescribe for the offense charged, he shall be released immediately, without prejudice to the continuation of the trial or the proceedings on appeal. If the maximum penalty to which the accused may be sentenced is *destierro*, he shall be released after [30] days of preventive imprisonment.

A person in custody for a period equal to or more than the minimum of the principal penalty prescribed for the offense charged, without application of the Indeterminate Sentence Law or any modifying circumstance, shall be released on a reduced bail or on his own recognizance, at the discretion of the court.

³⁰ *Rollo* (A.M. No. MTJ-23-014), pp. 139–140.

³¹ *Rollo* (A.M. No. MTJ-23-015), pp. 2–6.

³² *Id.* at 3.

Eraga was initially employed by Judge Alamada as her driver in October 2018, with a promised salary of PHP 8,000.00. Judge Alamada then facilitated Eraga's inclusion in the JO/Casual Employee program of the City Government of Calamba City. In January 2019, Eraga was formally included in the program and assigned to Judge Alamada as her driver.³³

Eraga was made to apply for a cash card with the Land Bank of the Philippines (LBP) where his salary from the Calamba City LGU will be remitted. Eraga claimed that he never personally used his cash card. The card was briefly shown to him, but it was immediately taken from him at the office of Judge Alamada. He continued to receive his PHP 8,000.00 salary from Judge Alamada and it was increased to PHP 10,000.00 after one year.³⁴

However, in April 2020, Eraga was informed by Judge Alamada that he will no longer be receiving any salary from the Calamba City LGU because of the Covid-19 pandemic. Consequently, Eraga received only PHP 5,000.00 as salary for April 2020.³⁵ The amount was later reduced to just PHP 3,000.00 classified as monthly "allowance." On September 24, 2020, Eraga and his wife, who was also hired as a live-in housemaid of Judge Alamada, decided to leave the employment and house of Judge Alamada as the salary of PHP 3,000.00 is not enough to support their family. On the same day, Eraga received only the amount of PHP 1,000.00 as salary for said month, allegedly because "*hindi ko naman daw po kasi natapos ang isang buwan na [pag]seserbisyo.*"³⁶

In November 2020, Eraga was hired as a Security Guard by Hunter Security Agency, Inc. (**Hunter Security**). However, he continued to receive information that he is still included in the payroll register of JO Workers of Calamba City LGU. He could not inquire about the said information from Judge Alamada herself, knowing the latter's influence and what Judge Alamada is capable of doing based on his previous experience with her. He felt that Judge Alamada, at the very least, could make him lose his new job. He was also scared for his own life. The said information was somewhat confirmed when Judge Alamada texted him, asking information about his PhilHealth number. He became more worried because he is no longer connected with her and that he has never made any withdrawal from his cash card. He also has never used nor has taken any money from the Calamba City LGU since the time that the cash card was taken from him in the Office of Judge Alamada.³⁷

³³ *Id.*

³⁴ *Id.*

³⁵ Mistakenly stated as April 2021 in the Letter-Complaint, dated July 19, 2021.

³⁶ *Rollo* (A.M. No. MTJ-23-015), p. 4.

³⁷ *Id.*

Desperate, Eraga pleaded with Judge Abad to help him. He authorized the Sheriff of Judge Abad's court to verify from LBP if withdrawals were indeed made from his cash card account. He also permitted Judge Abad to get a certification from Hunter Security if he will not be able to come back to the Hall of Justice as he is really bothered that Judge Alamada would come to know that he is still in Calamba City. Thereafter, he left Judge Abad's office, but not without hiding his face first with a piece of cloth, "so he would not be recognized by anyone close to Judge Alamada."³⁸

Judge Abad requested for Eraga's Certificate of Employment with the Calamba City LGU, as well as certified true copies of the payroll register, with certification of Judge Alamada or her Branch Clerk of Court, Rachel Worwor-Miguel (**Worwor-Miguel**), wherein Eraga's name appeared, confirming his employment with the Calamba City LGU as a JO/Casual employee. The Statement of Account for Eraga's cash card with LBP, City Hall Branch, and his Certificate of Employment with Hunter Security were likewise secured.³⁹

The Letter-Complaint of Judge Abad is accompanied by a similarly dated *Sinumpaang Salaysay*⁴⁰ from Eraga that contained the same allegations.

In its 1st Indorsement, dated September 13, 2021, the Office of the Executive Director (**OED**) of the JIB directed Judge Alamada to file her Comment on the Letter-Complaint of Judge Abad charging her with Dishonesty, Misconduct, and Violations of the CJC.

In her Verified Comment,⁴¹ dated October 4, 2021, Judge Alamada alleged that Judge Abad did not comply with Rule 140⁴² of the Rules of Court, as amended, when she sent the unverified Letter-Complaint to Chief Justice Gesmundo which was actually meant to be treated as an administrative complaint to circumvent the stringent requirements of Rule 140, Section 1 that a verified complaint must state that: (1) the allegations therein are true and correct of their own personal knowledge, belief[,] and based on authentic records, with attestation as to the authenticity of the records; (2) the complaint was not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation; and (3) the factual allegations have evidentiary support, or, if specifically identified, will likewise have evidentiary support after reasonable opportunity for discovery.⁴³

³⁸ *Id.* at 4-5.

³⁹ *Id.* at 5.

⁴⁰ *Id.* at 38-40.

⁴¹ *Id.* at 92-115.

⁴² Titled "Further Amendments to Rule 140 of the Rules of Court," approved on February 22, 2022.

⁴³ *Rollo* (A.M. No. MTJ-23-015), p. 94.

Judge Alamada further argued that Judge Sakkam's acts of administering Judge Abad's oath and Eraga's oath are in violation of Circular No. 1-90⁴⁴ on the unauthorized notarization of documents as reiterated in the case of *Nate v. Judge Contreras*,⁴⁵ which sanctions judges and clerks of courts for notarizing, as *ex officio* notaries public, administrative complaints, and documents not connected with the exercise of their official functions and duties. These acts of Judge Sakkam are in no way related to the exercise of his judicial or administrative duties as a sitting Judge of Branch 2, MTCC. Moreover, assuming they were, Judge Sakkam did not attach a certification attesting to the lack of any lawyer or notary public in Calamba City when he administered an oath twice.⁴⁶

Judge Alamada asserted that the cause of action of the unverified Letter-Complaint of Judge Abad to Chief Justice Gesmundo hinges on the sworn statement of Eraga who did not attest to the truthfulness of his own statement, and that Judge Abad has no personal knowledge whether Eraga's narration is true or not. Thus, "[t]o set the record straight," she alleged that Eraga is a JO employee in the Office of the Mayor assigned to the former as a driver. As Eraga had no place to stay in Manila, Judge Alamada gave him free board and lodging in the former's residence, and Eraga received compensation apart from what is credited to his ATM account. However, at the height of the pandemic, Eraga disliked wearing protective gears. Hence, for safety and health reasons, it was no longer viable for Eraga to stay in Judge Alamada's home and to be the latter's driver. Judge Alamada caused the matter to be reported to the LGU and she is not privy to whatever arrangement the LGU has regarding Eraga's employment.⁴⁷

Judge Alamada added that in early 2021, her court staff received a phone call from the LGU personnel inquiring about Eraga's PhilHealth number because the latter has unpaid Philhealth contributions and his 201 File cannot be located in the court's record. Judge Alamada took it upon herself to contact Eraga regarding his Philhealth number because no one else had his contact number.⁴⁸

Judge Alamada noted that Eraga failed to identify the person whom he claimed took his cash card. When Eraga made a letter to the LGU, there was no mention of any threat or fear for his life. However, when he interacted with Judge Abad and Judge Sakkam, he suddenly became fearful for his life.⁴⁹

⁴⁴ Titled "Power of the Municipal Trial Court Judges and Municipal Circuit Trial Court Judges to Act As Notaries Public Ex Officio," dated February 26, 1990.

⁴⁵ 754 Phil. 73 (2015) [Per C.J. Sereno, First Division].

⁴⁶ *Rollo* (A.M. No. MTJ-23-015), pp. 95-96.

⁴⁷ *Id.* at 97.

⁴⁸ *Id.*

⁴⁹ *Id.* at 98.

In the Supplemental Complaint with Motion for Preventive Suspension⁵⁰ (**Supplemental Complaint**), dated October 28, 2021, Judge Abad asserted that the payroll registers of JO Workers in Calamba City LGU for MTCC Branch 3 include certifications attesting that each person whose name appeared therein, which included Eraga's name, rendered service for the time stated. Judge Alamada signed above her name in the portion for "Certified Correct" for seven times from September 1, 2020 to March 31, 2021, particularly for the following periods:⁵¹

| Applicable Period | Amount Paid in Cash |
|--------------------------|------------------------------------|
| October 1-15, 2020 | PHP 3,025.00 |
| October 16-31, 2020 | PHP 3,025.00 |
| November 16-30, 2020 | PHP 3,025.00 |
| December 16-31, 2020 | PHP 3,300.00 |
| January 16-31, 2021 | PHP 1,850.00 |
| March 1-15, 2021 | PHP 3,025.00 |
| March 16-31, 2021 | PHP 2,400.00 |
| Total | PHP 19, 650.00⁵² |

Meanwhile, it appeared that some other persons signed in the payroll register for the following periods:

| Applicable Period | Amount Paid in Cash |
|--------------------------|-----------------------------------|
| November 1-15, 2020 | PHP 2,750.00 |
| December 1-15, 2020 | PHP 3,025.00 |
| January 1-15, 2021 | PHP 2,750.00 |
| February 1-15, 2021 | PHP 3,025.00 |
| February 16-28, 2021 | PHP 2,475.00 |
| May 16-31, 2021 | PHP 3,025.00 |
| June 1-15, 2021 | PHP 3,025.00 |
| June 16-30, 2021 | PHP 2,125.00 |
| Total | PHP 22,200.00⁵³ |

Judge Abad argued that from the viewpoint of criminal law, there is an impression of falsification of documents when through Judge Alamada's certifications, it was made to appear for about seven times that Eraga rendered services as JO Worker-Driver of Judge Alamada, when in truth and in fact, Eraga already left Judge Alamada and has been employed as Security Guard in Hunter Security since November 2020.⁵⁴

⁵⁰ *Id.* at 70-80.

⁵¹ *Id.* at 71.

⁵² *Id.* at 72.

⁵³ *Id.*

⁵⁴ *Id.* at 73.

Judge Abad further argued that under administrative law, Judge Alamada committed acts which constitute Gross Misconduct, Gross Dishonesty, and serious violations of the New Code of Judicial Conduct (NCJC).⁵⁵ Lastly, she prayed that Judge Alamada be meted with preventive suspension considering that the latter has control of the records in her office and of concerned court personnel in MTCC Branch 3 who signed the payroll register of Eraga. The signatures therein are similar to the signatures on Application for Leave⁵⁶ and certifications⁵⁷ on certain documents submitted to the Office of the Executive Judge by said concerned court personnel.⁵⁸

Judge Abad added that on October 15, 2021, Eraga submitted two *Sinumpaang Salaysay*.⁵⁹ The first *Sinumpaang Salaysay*,⁶⁰ dated October 15, 2021, is a mere reiteration of his *Sinumpaang Salaysay*,⁶¹ dated July 19, 2021. In the second *Sinumpaang Salaysay*,⁶² dated October 15, 2021, Eraga emphasized that when he was the driver of Judge Alamada, he was not assigned or detailed to the Office of Mayor Chipeco or any other office in the Calamba City LGU. Eraga also asserted that when he left Judge Alamada, he did not report or work as a JO employee in the Office of the Mayor or any other office in the Calamba City LGU as he was already employed as a Security Guard in Hunter Security beginning November 2020.⁶³

Meanwhile, in its Report and Recommendation,⁶⁴ dated December 19, 2022, the OED recommended that: (1) Judge Abad's Letter-Complaint, dated July 19, 2021, be referred to the OCA for investigation, report, and recommendation within 60 days from receipt of the records; and (2) Worwor-Miguel, Clerk of Court III, Branch 3, MTCC, Calamba City, Laguna, and Ms. Beverly A. De Jesus (**De Jesus**), Court Stenographer II, Branch 3, MTCC, Calamba City, Laguna be included as respondents in the instant administrative case; they be furnished a copy of this report, and they be required to comment on the charge against them for Serious Dishonesty and thereafter submit the same to the OCA.⁶⁵

Thereafter, in its Report,⁶⁶ dated January 30, 2023, the JIB recommended that the case be returned to the OED for referral to Judge

⁵⁵ *Id.*

⁵⁶ *Id.* at 85-86.

⁵⁷ *Id.* at 87-88.

⁵⁸ *Id.* at 77.

⁵⁹ *Id.* at 76.

⁶⁰ *Id.* at 81-83.

⁶¹ *Id.* at 40.

⁶² *Id.* at 84.

⁶³ *Id.*

⁶⁴ *Id.* at 164-172.

⁶⁵ *Id.* at 171-172.

⁶⁶ *Id.* at 173-180.

Alamada and the inclusion of Worwor-Miguel and De Jesus as co-respondents, and submission of their respective comments.⁶⁷

In its Letter,⁶⁸ dated February 20, 2023, the JIB, upon the recommendation of the OED, directed Judge Alamada to show cause why she should not likewise be disciplined as a member of the Philippine Bar.

In her Verified Comment,⁶⁹ dated March 3, 2023, Judge Alamada adopted her Verified Comment dated October 4, 2021. She likewise admitted all her signatures on the payroll registers of the JO Workers of Calamba City LGU. However, she averred that she was not aware that Eraga was no longer reporting to the Office of the Mayor as there was no communication between them. She only heard about Eraga again when the LGU personnel had asked for his Philhealth number. She claimed that while Eraga was detailed to her court, he was still under the employment of the Office of the Mayor, and her only fault was her failure to exercise prudence in ascertaining the status of Eraga's designation in the court where the effects of the pandemic played a major part.⁷⁰

In her Verified Comment,⁷¹ dated March 8, 2023, De Jesus also admitted that she had signed the JO Workers Payroll Register for the period May 16-31, 2021 as the LGU personnel told her that she could sign for Judge Alamada, and the latter consented to it but told her to remind the LGU personnel to remove Eraga from the list. She also stated that she hardly knew Eraga because he was not really an employee of the Supreme Court and was only an LGU JO worker. She emphasized that she did not benefit from signing the payroll.⁷²

In her Verified Comment,⁷³ dated March 8, 2023, Worwor-Miguel admitted that she had signed on Judge Alamada's behalf the JO Workers Payroll Register for the following periods: November 1-15, 2020, December 1-15, 2020, January 1-15, 2021, February 1-15, 2021, February 16-28, 2021, June 1-15, 2021, and June 16-30, 2021. However, she claimed that she was in good faith in doing so. She stressed that she had no idea that the details therein may have been inaccurate and that she had no intention of gaining anything from the said transactions.⁷⁴

⁶⁷ *Id.* at 179.

⁶⁸ *Id.* at 227-228.

⁶⁹ *Id.* at 230-237.

⁷⁰ *Id.* at 232-235.

⁷¹ *Id.* at 245-247.

⁷² *Id.*

⁷³ *Id.* at 253-257.

⁷⁴ *Id.*

JIB FPI No. 21-033-MTJ

On July 30, 2021, Judge Abad and Hon. Eric Ismael P. Sakkam (**Judge Sakkam**), Presiding Judge, Branch 2, MTCC, Calamba City, Laguna, furnished the JIB with copies of their Letter,⁷⁵ dated June 3, 2021, addressed to Judge Alamada, and the Letters,⁷⁶ dated June 4 and July 5, 2021, addressed to then Court Administrator, now Associate Justice, Jose Midas P. Marquez (**Associate Justice Marquez**), and Court Administrator Villanueva. In the said Letters, Judge Abad and Judge Sakkam charged Judge Alamada with Conduct Unbecoming of a Judge.

In their Letter,⁷⁷ dated June 3, 2021, Judge Abad and Judge Sakkam lamented Judge Alamada's "demeaning attitude" and "lack of cordiality" relative to the conduct of the raffle of cases in MTCC Calamba. It appears that Judge Alamada raised concerns as to social distancing during the raffle of cases. Judge Abad and Judge Sakkam pointed out that they did not take issue with the conduct of the raffle of cases via videoconferencing, as desired by Judge Alamada. However, they took offense with her statement that the personnel of Branch 1 and the Office of the Clerk of Court had been fully inoculated against Covid-19 while the personnel of Branch 3, presided by Judge Alamada, and the rest of the RTC judges had not received "such early blessing." They felt that the said comment was unwarranted and meant to sow intrigue.⁷⁸

In their Letter,⁷⁹ dated June 4, 2021, Judge Abad and Judge Sakkam reported a problem in the working atmosphere in MTCC Calamba caused by the "demeaning attitude and discourteousness" of Judge Alamada. They claimed that she had exhibited poor deportment unbecoming of a court officer before her colleagues and the public.⁸⁰

In their Letter,⁸¹ dated July 5, 2021, Judge Abad and Judge Sakkam alleged that Judge Alamada hurled insults at them and the Clerk of Court of MTCC Calamba. Judge Abad and Judge Sakkam stated that Judge Alamada berated the Clerk of Court via phone call and uttered the following statement: "*Mataas ang standard ko, pag ako ang naging Executive Judge, mapapaaga ang retirement mo! Si Rachel nga, pinapasuka ko rin yan!*" According to Judge Abad and Judge Sakkam, Judge Alamada complained about the

⁷⁵ *Rollo* (A.M. No. MTJ-24-026), pp. 3-4.

⁷⁶ *Id.* at 5-8.

⁷⁷ *Id.* at 3-4.

⁷⁸ *Id.*

⁷⁹ *Id.* at 5-6.

⁸⁰ *Id.*

⁸¹ *Id.* at 7-8.

purportedly inconsistent application of Supreme Court Circular No. 7, dated September 23, 1974, which provides that when a dismissed case is refiled, it should be assigned to the branch to which the original case pertained. When a case was no longer raffled and was automatically assigned to Judge Alamada's court pursuant to the said issuance of this Court, Judge Alamada allegedly pointed to another case, which was also dismissed by another court and refiled but was included in the raffle and subsequently assigned to her court and went on a tirade. Judge Abad and Judge Sakkam also stated that Judge Alamada exhibited insolence that was unbecoming of their judicial position.⁸²

In her Verified Comment,⁸³ dated October 4, 2021, Judge Alamada denied Judge Abad and Judge Sakkam's accusations. She maintained that their allegations, which were self-serving, malicious, and unsupported by evidence, deserve scant consideration. She also pointed out that Judge Abad and Judge Sakkam had no personal knowledge of the only specific instance of misconduct cited in the letters—her alleged phone call with the Clerk of Court.⁸⁴

Judge Alamada faulted Judge Abad and Judge Sakkam for disregarding protocol and procedure. She claimed that by disregarding the requirement of verification, Judge Abad and Judge Sakkam were able to indiscriminately file administrative complaints in the guise of letters thus avoiding liability for perjury and the guarantees contained in the verification.⁸⁵ She claimed that the present complaint was filed by Judge Abad and Judge Sakkam as leverage against the administrative case for Gross Ignorance of the Law and Procedure that she instituted against Judge Abad.⁸⁶

JIB FPI No. 21-042-MTJ

In her Verified Complaint,⁸⁷ dated October 20, 2021, Judge Alamada charged Judge Sakkam and Judge Abad of Gross Ignorance of the Law and Rules of Procedure, and Violation of Canon 6, Section 2 of the NCJC.

Judge Alamada alleged that Judge Sakkam and Judge Abad were not in good faith as they were actually motivated by revenge, hatred, and ill will when they disregarded the clear and unmistakable terms of the Circular 1-90 and the Supreme Court's decision in *Nate*. The revenge, hatred, and ill will

⁸² *Id.*

⁸³ *Id.* at 524–546.

⁸⁴ *Id.* at 530.

⁸⁵ *Id.* at 526–527.

⁸⁶ *Id.* at 532–533.

⁸⁷ *Rollo* (A.M. No. MTJ-24-027), pp. 2–10.

are manifested by the desire of Judge Abad and Judge Sakkam to get even after Judge Alamada filed a gross ignorance case docketed as JIB FPI No. 21-024-MTJ (re-docketed as A.M. No. MTJ-23-014).⁸⁸

Judge Alamada asserted that revenge, hatred, and ill will are manifest when Judge Abad and Judge Sakkam filed two unverified administrative complaints docketed as JIB FPI No. 21-032-MTJ (re-docketed as A.M. No. MTJ-23-015) and JIB FPI No. 21-033-MTJ disguised as letters to Chief Justice Gesmundo, Associate Justice Marquez, and Court Administrator Villanueva, which bypassed the requirements in Rule 140, Sections 1 and 2, thus avoiding any liability for perjurious statement and without the guarantee that it is free from untruthful statements.⁸⁹

Judge Alamada also claimed that Judge Sakkam acted as a notary public, when it was not in the performance of his official duty, and neither was Judge Abad performing an official duty when she caused Judge Sakkam to administer her oath and that of Eraga. Hence, they cannot be considered in good faith. Their failure to follow and know Circular No. 1-90 and Supreme Court decision, which under the Rules, they are required to take judicial notice of, indubitably constitute Gross Ignorance of the Law rendering their competence and integrity as judges doubtful.⁹⁰

The Report and Recommendation of the OED

A.M. No. MTJ-23-014 [Formerly JIB FPI No. 21-024-MTJ]

In its Report and Recommendation,⁹¹ dated March 14, 2022, the OED recommended the dismissal of the Complaint for lack of merit.⁹²

The OED pointed out that the incidents contemplated in the case at hand took place in April 2021, when the country was being ravaged by the Covid-19 pandemic. The OED held that while it is true that under the Guidelines on the Decongestion of Holding Jails, a judge can only act on bail applications for cases raffled to his sala, and that the Executive Judge can only do the same when the judges under his jurisdiction are not around or are absent, the Supreme Court issued a series of circulars, in the midst of the Covid-19 pandemic, allowing the Executive Judge, or whoever is the designated Judge

⁸⁸ *Id.* at 5.

⁸⁹ *Id.* at 6.

⁹⁰ *Id.* at 7.

⁹¹ *Rollo* (A.M. No. MTJ-23-014), pp. 198-204.

⁹² *Id.* at 204.

on Duty, to act on applications for bail even before the cases are raffled to another court.⁹³

A.M. No. MTJ-23-015 [Formerly JIB FPI No. 21-032-MTJ]

In its Report and Recommendation,⁹⁴ dated June 1, 2023, the OED recommended that a full-blown investigation on the charges raised in the administrative complaint be conducted considering that Eraga failed to identify who took his cash card. He took note, however, of the fact that salaries supposedly due him continued to be deposited in said cash card and that somebody else was withdrawing it.⁹⁵

JIB FPI No. 21-033-MTJ

In its Report and Recommendation,⁹⁶ dated September 22, 2022, the OED recommended that the complaint against Judge Alamada be dismissed for insufficiency of evidence since the allegations in the letters were not supported by credible evidence. Nonetheless, noting the hostility among the parties, the OED recommended that Judge Alamada, Judge Abad, and Judge Sakkam be sternly reminded to be more circumspect in dealing with each other in the workplace.⁹⁷

JIB FPI No. 21-042-MTJ

In its Report and Recommendation,⁹⁸ dated September 21, 2022, the OED recommended the dismissal of the complaint against Judge Sakkam and Judge Abad for lack of merit.⁹⁹ The OED found that as an incidental consequence of the duty of an Executive Judge to investigate administrative complaints against judges within his/her administrative area, Judge Abad also has the non-adjudicative function of notarizing the grievances against fellow judges. However, given the bizarre situation wherein the complainant, Judge Abad, is the Executive Judge, and the respondent, Judge Alamada, is the Vice Executive Judge, the task of notarizing the Letter, dated July 19, 2021, and its corresponding annexes including the *Sinumpaang Salaysay*, inevitably fell on Judge Sakkam.¹⁰⁰

⁹³ *Id.* at 202.

⁹⁴ *Rollo* (A.M. No. MTJ-23-015), pp. 258-266.

⁹⁵ *Id.* at 265-266.

⁹⁶ *Rollo* (A.M. No. MTJ-24-026), pp. 591-596.

⁹⁷ *Id.* at 596.

⁹⁸ *Rollo* (A.M. No. MTJ-24-027), pp. 118-140.

⁹⁹ *Id.* at 140.

¹⁰⁰ *Id.* at 139.

The Report of the JIB

*A.M. No. MTJ-23-014 [Formerly JIB
FPI No. 21-024-MTJ]*

In its Report,¹⁰¹ dated January 25, 2023, the JIB found the OED's recommendation to be untenable and ruled that OCA Circular No. 94-2020 was the directive of Associate Justice Marquez when he was still the Court Administrator, upon consultation with then Chief Justice Diosdado M. Peralta, to resume the raffle of newly-filed cases, including cases which have not yet been raffled, through videoconferencing, after all court stations nationwide have been already provided with the platform Philippine Judiciary 365 which includes the Teams application.¹⁰²

However, the JIB held that Judge Abad's violation appears to be borne out of a simple error in the interpretation of Supreme Court and OCA directives/circulars in relation to her functions and power as Executive Judge, which was promptly remedied by no less than her own recall of the issued dismissal orders. The JIB further held that the charge of Gross Ignorance of the Law and Rule of Procedure against her was not sufficiently substantiated by Judge Alamada who has the burden of proof in administrative proceedings.¹⁰³

Thus, the JIB recommended that:

- (1) the instant administrative complaint against [Judge Abad] be RE-DOCKETED as a regular administrative matter; and
- (2) [Judge Abad] be REPRIMANDED for violation of Supreme Court and OCA directives/circulars[] and STERNLY WARNED that a repetition of the same or similar acts shall be dealt with more severely.¹⁰⁴

JIB FPI No. 21-033-MTJ

In its Report,¹⁰⁵ dated March 15, 2023, the JIB found no compelling reason to deviate from the recommendation of the OED to dismiss the present complaint for being barren of merit. The JIB agreed with the OED that the

¹⁰¹ *Rollo* (A.M. No. MTJ-23-014), pp. 210-231.

¹⁰² *Id.* at 223.

¹⁰³ *Id.* at 227.

¹⁰⁴ *Id.* at 230.

¹⁰⁵ *Rollo* (A.M. No. MTJ-24-026), pp. 598-608.

letters are not buttressed by evidence such as the affidavit of the Clerk of Court, who was reportedly on the receiving end of Judge Alamada's demeaning attitude.¹⁰⁶

Thus, the JIB recommended that:

1. the instant complaint against [Judge Alamada] be **DISMISSED** for lack of merit; and
2. complainant Judges [Abad and Sakkam] and [Judge Alamada] be **REMINDED** to be more circumspect in dealing with each other in their workplace and prevent any untoward hostility.¹⁰⁷ (Emphasis in the original)

A.M. No. MTJ-23-015 [Formerly JIB FPI No. 21-032-MTJ] and JIB FPI No. 21-042-MTJ

In **A.M. No. MTJ-23-015 [Formerly JIB FPI No. 21-032-MTJ]**, the JIB submitted its Report,¹⁰⁸ dated June 8, 2023, where it found that there is a *prima facie* case and substantial factual issues raised, particularly to determine whether there was misappropriation, and if there was, who committed it. Thus, pursuant to Rule 140, Section 6,¹⁰⁹ it ordered that the present case be re-docketed as a regular administrative matter, and a formal investigation be conducted. Further, considering that the case involves serious charges and there is a strong likelihood of guilt of Judge Alamada, Worwor-Miguel, and De Jesus, the JIB recommended to the Court that pending the resolution of the case, they be placed under preventive suspension for a period of 90 calendar days, unless earlier lifted or further extended by the Court. Hence, in its Order of even date, the JIB set the case for hearings.¹¹⁰

In the hearings, the parties presented their testimonial and documentary evidence.

The testimonial evidence of Judge Abad consisted of the testimonies of Judge Abad herself, Eraga, Anna Marie L. Munding (**Munding**), Branch

¹⁰⁶ *Id.* at 605.


¹⁰⁷ *Id.* at 607.

¹⁰⁸ *Rollo* (A.M. No. MTJ-23-015), pp. 364-372.

¹⁰⁹ SEC. 6. *Procedure for Formal Investigation.* —

(2) *When Hearings are Required.* — If based on the pleadings of the parties, there is a *prima facie* case against the respondent which requires actual hearings to resolve substantial factual issues raised, the Judicial Integrity Board shall set such hearings, with due notice thereof to the parties.

¹¹⁰ *Rollo* (A.M. No. MTJ-23-015), pp. 369-371.



Manager of the LBP Calamba City Hall Branch, Romeo C. Mateo (**Mateo**), Operations Manager of the Hunter Security, and Maxima O. Lapastora (**Lapastora**), City Resource Management Officer of the Calamba City LGU.

On the other hand, the testimonial evidence of Judge Alamada, Worwor-Miguel, and De Jesus consisted of their own testimonies.

Judge Abad testified that Eraga had relayed to her that his LBP cash card was taken from him by Alona Agoncillo (**Agoncillo**), and it was never in his possession, but she did not include it in her Letter-Complaint because she was not certain of the details, and she did not want to make a wrong conclusion. She added that when she inquired from Agoncillo, the latter admitted that she took Eraga's cash card but it was not in her custody and withdrawals from such cash card were made only upon instruction of Judge Alamada. She also identified certain documents.¹¹¹

Eraga testified that when he got his cash card which was attached to a paper from the LBP Calamba City Hall Branch, he went to their office and Agoncillo took it because Judge Alamada would like to check it. However, his cash card was no longer returned to him. He received his salaries directly from Judge Alamada. He had no complaint against Judge Alamada and just wanted to clear his name and clarify that he did not receive any amount from the LGU. He also identified certain documents.¹¹²

Mundin testified that based on Eraga's LBP cash card transaction history, there were withdrawals from October 1, 2020 to July 4, 2021. She identified certain documents.¹¹³

Mateo identified certain documents pertaining to Eraga's employment as security guard in Hunter Security since November 2020.¹¹⁴

Lapastora testified that the supposed salaries of Eraga as a JO worker of the Calamba City LGU until June 2021 were credited to his cash card because there were payroll registers evidencing the same. She identified certain documents. On cross-examination, she emphasized that the Calamba City LGU, which was the one who hired Eraga, had the sole authority to fire him.¹¹⁵

¹¹¹ *Id.* at 381.

¹¹² *Id.*

¹¹³ *Id.* at 382.

¹¹⁴ *Id.*

¹¹⁵ *Id.*



Judge Alamada admitted that she had signed the subject payroll registers and had authorized and instructed Worwor-Miguel to sign the payroll registers on her behalf with a *colatilla* that they had to inform the LGU personnel to remove Eraga from the list because she already sent a letter, dated November 17, 2020, to the Office of the Mayor, requesting the removal of Eraga's name. She explained that she signed the payroll registers without being aware of the status of Eraga's employment in the LGU or the Office of the Mayor with the intention not to delay the salary of the JO workers listed in the payroll registers. She also claimed that the LGU personnel had told her and her staff that they could not alter or modify the payroll registers. Thus, they could not remove Eraga from the list. She argued that the payroll registers were not indispensable to the disbursement of Eraga's salaries as there were three unsigned payroll registers but the corresponding salaries were credited to Eraga's cash card. She also identified certain documents.¹¹⁶

On cross-examination, Judge Alamada admitted that Eraga was already separated from the service as a JO worker in September 2020 and that she had accordingly verbally informed the Office of the Mayor several times about it. She, however, denied that she ever had Eraga's LBP cash card and even asserted that she never saw the said cash card.¹¹⁷

Worwor-Miguel testified that despite not having seen Eraga in their office, she had signed or certified the payroll registers per Judge Alamada's instruction, and that she had no personal knowledge if he was still employed in the Calamba City LGU so as not to delay the salaries of the JO workers included in the said payroll registers. She likewise claimed that Judge Alamada also instructed her to inform the LGU personnel who brought the payroll registers that Judge Alamada already wrote to the Office of the Mayor regarding the revocation of the designation of Eraga. She clarified that the LGU personnel could not amend or alter the payroll registers.¹¹⁸

De Jesus testified that she had signed or certified the payroll register as directed by Judge Alamada. She then emphasized that Judge Alamada instructed her to remind the LGU personnel to remove Eraga's name from the payroll register as he was no longer reporting for work in MTCC Branch 3.¹¹⁹

Meanwhile, in **JIB FPI No. 21-042-MTJ**, the JIB found that Judge Sakkam's acts of notarizing the Letter-Complaint of Judge Abad and the *Sinumpaang Salaysay* of Eraga are related to the exercise of his judicial duty

¹¹⁶ *Id.* at 389-390.

¹¹⁷ *Id.* at 390.

¹¹⁸ *Id.* at 391.

¹¹⁹ *Id.* at 392.

to take disciplinary measure against court personnel.¹²⁰ Also, Judge Abad's acts of assisting Eraga in investigating his concern relative to court operations, including the utilization of her staff and resources to gather evidence, and the subsequent filing of her Letter-Complaint against Judge Alamada, are within the scope of her power, prerogative, and duties as the Executive Judge of MTCC, Calamba City.¹²¹

In its Consolidated Report,¹²² dated September 6, 2023, the JIB made the following recommendations:

1. A.M. No. MTJ-23-015 [Formerly JIB FPI No. 21-032-MTJ]

- A. Judge Alamada be held GUILTY of [eight (8)] counts of falsification of official documents, serious dishonesty, gross misconduct constituting violations of the Code of Judicial Conduct, and commission of crimes involving moral turpitude;
- B. Judge Alamada be held GUILTY of [17] counts of serious dishonesty, gross misconduct constituting violations of the Code of Judicial Conduct, and commission of crimes involving moral turpitude;
- C. Judge Alamada be PENALIZED with dismissal from the service, forfeiture of all or part of the benefits as may be determined except accrued leave credits, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations;
- D. Judge Alamada, as a member of the Philippine Bar, be held GUILTY of [25] counts of gross misconduct and serious dishonesty and be PENALIZED with disbarment;
- E. Worwor-Miguel be held GUILTY of seven (7) counts of falsification of official documents, serious dishonesty and commission of a crime involving moral turpitude and be PENALIZED with a fine in the amount of [PHP] 350,003.50, payable within three (3) months from the time the decision or resolution is promulgated;
- F. De Jesus be held GUILTY of falsification of official documents, serious dishonesty and commission of a crime involving moral turpitude and be PENALIZED with a fine in the amount of [PHP] 25,000.50, payable within three (3) months from the time the decision or resolution is promulgated;
- G. the appropriate criminal charges be FILED against Judge Alamada, Worwor-Miguel[,] and De Jesus; and

¹²⁰ *Id.* at 418-419.

¹²¹ *Id.* at 421.

¹²² *Id.* at 373-424.

H. the administrative case against Alona P. Agoncillo, Court Stenographer II, Branch 3, Municipal Trial Court in Cities, Calamba City, Laguna, be DISMISSED for lack of merit.

2. JIB FPI No. 21-042-MTJ

- A. the administrative case against Judge Ismael P. Sakkam, Presiding Judge, Branch 2, Municipal Trial Court in Cities, Calamba City, Laguna, be DISMISSED for lack of merit; and
- B. the administrative case against Judge Leah Angeli B. Vasquez-Abad, Executive Judge and Presiding Judge, Branch 1, Municipal Trial Court in Cities, Calamba City, Laguna, be likewise DISMISSED for lack of merit.¹²³ (Emphasis in the original)

The Issue

Whether the respondents should be held administratively liable for the respective acts complained of.

The Ruling of the Court

In administrative proceedings, the quantum of proof necessary for a finding of guilt is substantial evidence, i.e., that amount of relevant evidence that a reasonable mind might accept as adequate to support a conclusion.¹²⁴

In **A.M. No. MTJ-23-014 [Formerly JIB FPI No. 21-024-MTJ]**, the Court resolves to modify the findings and recommendation of the JIB. As the JIB correctly held, Judge Abad's acts were a result of an error in the interpretation of Supreme Court directives and circulars in relation to her power as an Executive Judge, which she remedied by recalling her issued dismissal orders. Also, taking into consideration that this is the first administrative case against Judge Abad, and in the exercise of its sound discretion based on the facts of the case, the Court deems it proper to merely admonish Judge Abad.

In **JIB FPI No. 21-033-MTJ**, the Court agrees with the JIB's finding and recommendation to dismiss the administrative complaint. As correctly observed by the JIB, Judge Abad and Judge Sakkam failed to substantiate their allegations of improper conduct against Judge Alamada. Notably, they had

¹²³ *Id.* at 422-423.

¹²⁴ 887 Phil. 818, 824 (2020) [Per C.J. Peralta, First Division].

no personal knowledge of the only specific instance of improper conduct imputed to Judge Alamada—her phone call with the Clerk of Court during which she allegedly insulted and berated the latter.

In **JIB FPI No. 21-042-MTJ**, the Court adopts the findings and recommendation of the JIB. Circular No. 1-90¹²⁵ grants the MTC and MCTC judges the authority to act as notaries public *ex officio* in notarizing documents connected with the performance of their official functions and duties. Concomitantly, Canon 2, Section 3 of the NCJC provides that “[j]udges should take or initiate appropriate disciplinary measures against lawyers or court personnel for unprofessional conduct of which the judge may have become aware.” Thus, when Judge Sakkam notarized the Letter-Complaint of Judge Abad and the *Sinumpaang Salaysay* of Eraga, he was acting well within his authority as a judge.

Meanwhile, as an Executive Judge, Judge Abad has the power and duty to exercise supervision over the judges and personnel within his or her administrative area.¹²⁶ She also has the power and duty to investigate administrative complaints against Municipal and City Judges, and other court personnel within his or her administrative area, and to submit his or her findings and recommendations to the Supreme Court.¹²⁷

Thus, the administrative complaints against Judge Sakkam and Judge Abad are dismissed for lack of merit.

In **A.M. No. MTJ-23-015 [Formerly JIB FPI No. 21-032-MTJ]**, the Court resolves to modify the findings and recommendation of the JIB.

At the outset, Judge Alamada’s main contention is that the Letter-Complaint filed by Judge Abad is defective for being unverified. However, such defect has been cured by the subsequent Supplemental Complaint¹²⁸ and *Sinumpaang Salaysay* of Eraga,¹²⁹ both of which were properly verified or notarized before Notary Public Reinier John G. Brofar.

The Court reiterates that to sustain a finding of administrative culpability, only substantial evidence is required, not overwhelming or

¹²⁵ Titled “Power of the Municipal Trial Court Judges and Municipal Circuit Trial Court Judges to Act as Notaries Public Ex Officio,” dated February 26, 1990.

¹²⁶ Guidelines on the Selection and Designation of Executive Judges and Defining Their Powers, Prerogatives and Duties (2004), Chapter IV, sec. 1(b).

¹²⁷ SC Administrative Order No. 6 (1975).

¹²⁸ *Rollo* (A.M. No. MTJ-23-015), pp. 70–80.

¹²⁹ *Id.* at 81–84.

preponderant, and very much less than proof beyond reasonable doubt as required in criminal cases.¹³⁰

Judge Alamada is guilty of Falsification of Official Documents, Serious Dishonesty, Gross Misconduct, Commission of Crimes Involving Moral Turpitude, and Violations of the New Code of Judicial Conduct

Judge Alamada admitted all her signatures on the payroll registers of the JO workers of the Calamba City LGU for the following periods:

- 1) September 16-30, 2020;¹³¹
- 2) October 1-15, 2020;¹³²
- 3) October 16-31, 2020;¹³³
- 4) November 16-30, 2020;¹³⁴
- 5) December 16-31, 2020;¹³⁵
- 6) January 16-31, 2020;¹³⁶
- 7) March 1-15, 2021;¹³⁷ and
- 8) March 16-31, 2021.¹³⁸

She argued that she was not aware if Eraga was reporting to the Office of the Mayor, and that “her only fault was her failure to exercise prudence in pursuing to know the status of Eraga’s designation in the court where the effects of the pandemic played a major part.”¹³⁹

Her argument fails to persuade.

By signing the subject payroll registers, Judge Alamada certified that Eraga had rendered service for the time stated therein, despite knowing that the same is not true. In fact, she maintained that she instructed Worwor-Miguel and De Jesus to remind the LGU personnel to remove Eraga’s name

¹³⁰ *Re: Allegation of Falsification Against Process Servers Maximo D. Legaspi and Desiderio S. Tesiorna*, 877 Phil. 352, 358 (2020) [*Per Curiam, En Banc*]. (Citation omitted)

¹³¹ *Rollo* (A.M. No. MTJ-23-015), p. 13.

¹³² *Id.* at 14.

¹³³ *Id.* at 15.

¹³⁴ *Id.* at 17.

¹³⁵ *Id.* at 19.

¹³⁶ *Id.* at 21.

¹³⁷ *Id.* at 24.

¹³⁸ *Id.* at 25.

¹³⁹ *Id.* at 235.

from the list of persons indicated in the payroll register, which clearly shows that she knew that Eraga was no longer reporting for work. The payroll registers expressly state “Certified Correct: Each person whose name appears on this roll had rendered services for the time stated,” under which Judge Alamada’s signature appears.¹⁴⁰

Judge Alamada’s argument that she was not aware that Eraga was no longer reporting to the Office of the Mayor¹⁴¹ equally lacks merit as it is expressly stated in the payroll registers that Eraga is detailed to the MTCC Branch 3, Judge Alamada’s court.¹⁴²

Falsification of an official document, as an administrative offense, is knowingly making false statements in official or public documents.¹⁴³ It is undisputed that a payroll register, like a Daily Time Record, is an official document. Contending that the certifications were made with pure intent not to cause delay in the release of the salaries of the other JO workers indicated in the payroll register¹⁴⁴ does not absolve her from administrative liability.

The Court held in *Villordon v. Avila*¹⁴⁵ as follows:

When official documents are falsified, respondent’s intent to injure a third person is irrelevant because the principal thing punished is the violation of public faith and the destruction of the truth as claimed in that document. The act of respondent undermines the integrity of government records and therein lies the prejudice to public service. Respondent’s act need not result in disruption of service or loss to the government.¹⁴⁶ (Emphasis supplied, citation omitted)

Nevertheless, while Judge Alamada evidently falsified the payroll registers for eight periods, thereby committing eight acts of falsification, these acts of Judge Alamada shall be treated as a single collective act considering that these acts of falsification could not be reasonably separated from each other. The Court made a pronouncement in *Banzuela-Didulo v. Santizo*,¹⁴⁷ adopting a practical application of Section 21, Rule 140 of the Rules of Court, as amended by A.M. No. 21-08-09-SC:

¹⁴⁰ *Id.* at 13–15, 17, 19, 21 & 24–25.

¹⁴¹ *Id.* at 33.

¹⁴² *Id.* at 13–15, 17, 19, 21 & 24–25.

¹⁴³ *Re: Allegation of Falsification Against Process Servers Maximo D. Legaspi and Desiderio S. Tesiorna*, 877 Phil. 352, 360 (2020) [*Per Curiam, En Banc*]. (Citation omitted)

¹⁴⁴ *Rollo* (A.M. No. MTJ-23-015), p. 233.

¹⁴⁵ 692 Phil. 388 (2012) [*Per Curiam, En Banc*].

¹⁴⁶ *Id.* at 397–398.

¹⁴⁷ A.M. No. P-22-063, February 7, 2023 [*Per J. Kho, Jr., En Banc*].

A circumspect review of the records reveals that Santizo's administrative liability stems from a series of acts relating to her duties as clerk of court. However, the Court is of the view that it is the totality of these acts that constitute the charges that she is found administratively liable for, and the same could not be reasonably separated from one another. Hence, Santizo's various acts/omissions should be viewed as a single collective act insofar as Section 21 of the Rules is concerned; hence, she should be meted with a singular penalty pursuant to the second paragraph of this provision. In this regard, the Court's annotation insofar as the second paragraph of Section 21 of the Rules is enlightening, to wit:

The second paragraph recognizes that certain acts or omissions may constitute multiple offenses. In this regard, the respondent must be pronounced liable for all such offenses, but only a singular penalty shall be imposed on him or her. This is in keeping with the notion that one act/omission must only give rise to one penalty.

To illustrate, suppose a respondent's singular act constitutes two [] distinct offenses, namely: (1) gross misconduct, which is a serious charge; and (2) unauthorized practice of law, which is a less serious charge. In this instance, the Supreme Court shall pronounce his administrative liability for both offenses, but shall only impose the penalty for gross misconduct, as it is the graver offense.


Since Santizo is found administratively liable for four [] serious charges and one [] less serious charge, namely, Gross Misconduct, Serious Dishonesty, Gross Neglect of Duty, Commission of a Crime Involving Moral Turpitude, and Violation of Supreme Court Rules, Directives, and Circulars that Establish an Internal Policy, Rule of Procedure or Protocol, respectively, then she should be meted with the penalty for a serious charge as provided under Section 17 (1) of the Rules[.]¹⁴⁸ (Emphasis supplied)

Applying this interpretation, the Court finds that Judge Alamada is liable for only one count of Falsification of Official Documents.

As regards the misappropriation of Eraga's salaries, Judge Alamada asserted that she never saw Eraga's cash card. However, Agoncillo's positive testimony that it was Judge Alamada who would give her the cash card of Eraga for withdrawals prevails over the latter's bare denials. Also, a perusal of the Cash Card Account History of Eraga¹⁴⁹ (**Cash Card Account History**) shows that withdrawals of various amounts were made on various dates from May to July 2021:

¹⁴⁸ *Id.*

¹⁴⁹ *Rollo* (A.M. No. MTJ-23-015), p. 43.



| Transaction Date | Transaction Description | Amount | Outstanding Balance |
|------------------|-------------------------|----------|---------------------|
| 07/04/2021 | ATM WITHDRAWAL | 2,200.00 | 9.00 |
| 06/29/2021 | MASS TOPUP | 2,125.00 | 2,209.00 |
| 06/19/2021 | ATM WITHDRAWAL | 3,100.00 | 84.00 |
| 06/14/2021 | MASS TOPUP | 3,025.00 | 3,184.00 |
| 05/30/2021 | ATM WITHDRAWAL | 2,900.00 | 159.00 |
| 05/28/2021 | MASS TOPUP | 3,025.00 | 3,059.00 |
| 05/16/2021 | ATM WITHDRAWAL | 2,800.00 | 34.00 |
| 05/12/2021 | MASS TOPUP | 2,750.00 | 2,834.00 |

It bears to stress that Eraga resigned from his employment with Judge Alamada on September 24, 2020 and he already started his employment with Hunter Security in November 2020. However, even until July 2021, salaries were still being credited to Eraga's cash card and subsequently withdrawn therefrom on account of the false certifications by Judge Alamada, while such cash card was in the possession of Judge Alamada, as shown by the evidence on record. As can be gleaned from the Cash Card Account History, a withdrawal is made every time the salary is credited because of the outstanding balance. Clearly, since September 2020 until July 2021, Eraga's salaries were being consistently withdrawn when he was no longer working for the LGU.

The pertinent portions of Agoncillo's testimony state as follows:

Justice Ponferrada: Now you said that, whenever you withdraw from the ATM of Eraga together with the ATM of the Judge who gave the money to Judge Alamada, was there an instance that you did not give withdrawing (*sic*) from Eraga's ATM? That you did not give the money to Judge Alamada?

Witness: *Wala po*, Your Honor.

Justice Ponferrada: So, there was no instance at all, that you kept the money to yourself?

Witness: None, Your Honor.

Justice Ponferrada: Was there an instance that you gave it to Eraga?

Witness: No, None, Your Honor.

Justice Grulla: Madam witness, can you categorically state to us who gave you the ATM of Sandy Eraga?

Witness: *Kapag pinagwiwithdraw po ako ni Judge, si Judge po ang nagbibigay sa akin.*

Justice Grulla: *So, it was Judge herself, Judge Alamada herself who gave you the ATM?*

Witness: *Yes, Your Honor.*

Justice Grulla: *So, if Judge Alamada asked you to withdraw, with the ATM of Sandy Eraga, she must have given also the pin number?*

Witness: *Opo, Your Honor. Nakasulat na po yun sa papel, Your Honor. Minsan po nakapatong sa table niya tapos kinukuha ko na lang po. Tapos kapag magwiwithdraw na po, ipapatong ko lang po uli yun sa table. Sama-sama na po yung pera, ATM, at tsaka po yung resibo.*

Justice Villon: Ms. Agoncillo, who was keeping that ATM card of Sandy Eraga, during those times period that you were being asked to withdraw from that account?

Witness: Your Honor, *hindi ko po alam. Kasi binibigay lang po sa akin kapag ka po pinapasabay po ni Judge.*

Justice Villon: Who was giving the card to you?

Witness: *Si Judge po.*

Justice Villon: Who that person was and who was actually in custody of that card?

In all those instances, did you receive the card from Judge [Alamada]?

Witness: *Opo, Your Honor.*

Justice Villon: *And the money that you have withdrawn from the account, did you give it every time to Judge [Alamada]?*

Witness: *Opo, Your Honor.*

Justice Ponferrada: *I have a last question here. After withdrawing, you said earlier that you always gave the money from both cards you get to respondent Judge Alamada. How about the cards, did you return the card to her?*

Witness: *Opo, Your Honor. Kasabay po ng pera atsaka po nung resibo. Minsan po nilalagay ko sa sobre tapos ipapatong ko po sa table niya.*

Justice Ponferrada: In all instances that you withdraw money from those cards?

Witness: *Opo, Your Honor.*

Justice Villon: When was the last time that you actually withdraw cash from the ATM card account of Sandy Eraga?

Witness: *Yung last time po, hindi ko na din po matandaan. Basta pag nagwiwithdraw po ako nag-start mga 2019 po yun. Nung year 2020 po hindi ko na po nawithdrawhan gawa po nag pandemic na.¹⁵⁰ (Emphasis supplied; italics in the original)*

There is, thus, substantial evidence to support the conclusion that Judge Alamada is the person who made or caused the withdrawal of money from Eraga's cash card and thereafter misappropriated the money, despite the fact that Eraga was no longer working for her court. That Judge Alamada unduly materially benefited from the false certifications that she made is indisputable.

For the false certifications and misappropriation of Eraga's money, Judge Alamada is liable for Serious Dishonesty. Dishonesty is defined as the "concealment or distortion of truth, which shows lack of integrity or a disposition to defraud, cheat, deceive[,] or betray and an intent to violate the truth."¹⁵¹ It becomes serious when it is qualified by any of the following circumstances:

- a. **The dishonest act caused serious damage and grave prejudice to the government such as when the integrity of the office is tarnished, or the operations of the office are affected.**
- b. **The respondent gravely abused his/her authority in order to commit the dishonest act.**
- c. Where the respondent is an accountable officer, the dishonest act directly involves property, accountable forms or money for which he/she is directly accountable and the respondent shows an intent to commit material gain, graft and corruption.

¹⁵⁰ TSN, Alona Agoncillo, July 10, 2023, pp. 5-12.

¹⁵¹ CSC Memorandum Circular No. 13 (2021).

- d. **The dishonest act exhibits moral depravity on the part of the respondent whether or not said act was committed in the performance of his/her duties.**
- e. The dishonest act involves a civil service examination irregularity or fake civil service eligibility, such as, but not limited to impersonation, cheating and use of crib sheets.
- f. The dishonest act relates to the respondent's employment such as but not limited to misrepresentation on his/her qualifications as to education, experience, training and eligibility in order to qualify for a particular position, and/or the submission of fake and/or spurious credentials.
- g. Other analogous circumstances.¹⁵² (Emphasis supplied)

In *Villordon*,¹⁵³ the Court held that “[i]t is the act of dishonesty itself that taints the integrity of government service. A government officer’s dishonesty affects the morale of the service, even when it stems from the employee’s personal dealings. Such conduct should not be tolerated from government officials, even when official duties are performed well.”¹⁵⁴

Here, when Judge Alamada falsified the payroll registers, she tarnished the integrity of her office. She should have exercised prudence in ensuring that the certifications she made are true and accurate. As a judge, she is expected to be more circumspect with her actions. Further, when she took possession of Eraga’s cash card and misappropriated the money after his resignation, Judge Alamada gravely abused her authority in order to commit the dishonest act, which exhibited moral depravity on her part.

Thus, it is undeniable that Judge Alamada is also liable for Commission of Crimes Involving Moral Turpitude. Moral turpitude is an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow men or to society in general, contrary to the accepted and customary rule of right and duty between man and man.¹⁵⁵

Instead of making the LGU personnel correct the payroll registers and have them reflect true and accurate information, Judge Alamada chose to repeatedly sign the false certifications to materially benefit herself. Her statement to the LGU personnel to remove Eraga from the list is immaterial

¹⁵² *Id.*

¹⁵³ *Villordon v. Avila*, 692 Phil. 388 (2012) [*Per Curiam, En Banc*].

¹⁵⁴ *Id.* at 398. (Citation omitted)

¹⁵⁵ *The Court Administrator v. San Andres*, 274 Phil. 990, 996 (1991) [*Per J. Medialdea, First Division*]. (Citation omitted)

when her signatures on the payroll registers show that she repeatedly certified the false information therein to be correct.

Moreover, she could have returned the cash card to Eraga, who is the owner thereof and is rightfully entitled thereto, but she kept the same and misappropriated the salaries that were being credited thereto on account of her own false certifications. In truth, that Judge Alamada from the very start took the cash card from Eraga is already indicative of her impropriety. Even if she paid Eraga a salary, as he confirmed, it is clear that Eraga was employed by the LGU and his salaries were being deposited in the cash card, which Eraga never possessed because Judge Alamada took it from him from the start of such employment. These acts of Judge Alamada demonstrate her moral depravity. The totality of her acts is contrary to the accepted rules of right and duty, honesty, and good morals.

For the misappropriation and the falsification, together with causing her staff—her co-respondents, Worwor-Miguel and De Jesus, to make false certifications, Judge Alamada committed Gross Misconduct constituting violations of the following provisions of the NCJC:

CANON 2 INTEGRITY

Integrity is essential not only to the proper discharge of the judicial office but also to the personal demeanor of judges.

SEC. 1. Judges shall ensure that not only is their conduct above reproach, but that is perceived to be so in the view of a reasonable observer.

SEC. 2. The behavior and conduct of judges must reaffirm the people's faith in the integrity of the judiciary. Justice must not merely be done but must also be seen to be done.

CANON 4 PROPRIETY

Propriety and the appearance of propriety are essential to the performance of all the activities of a judge.

SEC. 1. Judges shall avoid impropriety and the appearance of impropriety in all of their activities.

SEC. 2. As a subject of constant public scrutiny, judges must accept personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly. In particular, judges conduct themselves in a way that is consistent with the dignity of the judicial office.

In fine, Judge Alamada had failed to live up to the norms embodied in the NCJC. Her actions fell short of the standards expected of a magistrate of the law. Judges, as members of the Judiciary, are repeatedly reminded to be irreproachable in conduct and to be free from any appearance of impropriety. The imperative and sacred duty of each and everyone in the Judiciary is to maintain its good name and standing as a temple of justice.¹⁵⁶

Under A.M. No. 21-08-09-SC,¹⁵⁷ Gross Misconduct constituting violations of the CJC, Serious Dishonesty, Commission of Crimes Involving Moral Turpitude, and Falsification of Official Documents are all serious offenses, which are punishable by “dismissal from the service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations”¹⁵⁸ as the extreme penalty. Given the gravity and the multiplicity of her offenses, the penalty of dismissal from the service must be imposed against Judge Alamada.

Judge Alamada is guilty of Gross Misconduct and Serious Dishonesty under the Code of Professional Responsibility and Accountability

Judge Alamada’s acts of false certifications and misappropriation of Eraga’s money also constitute Gross Misconduct and Serious Dishonesty, which are both considered serious offenses under Canon VI, Section 33¹⁵⁹ of the Code of Professional Responsibility and Accountability, which took effect on May 30, 2023.¹⁶⁰

Corollarily, if the respondent is found guilty of a serious offense, any of the following sanctions, or a combination thereof, shall be imposed:

- (1) Disbarment;

¹⁵⁶ *Re: Anonymous Complaint against Presiding Judge Analie C. Aldea-Arocena*, 861 Phil. 143, 163 (2019) [Per Curiam, *En Banc*].

¹⁵⁷ Titled “Further Amendments to Rule 140 of the Rules of Court,” approved on February 22, 2022.

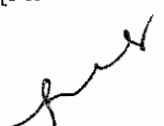
¹⁵⁸ Further Amendments to Rule 140 of the Rules of Court, sec. 17(1) (a).

¹⁵⁹ SEC 33. Serious offenses. — Serious offenses include:

(a) Gross misconduct, or any inexcusable, shameful[,] or flagrant unlawful conduct;

(b) Serious dishonesty, fraud[,] or deceit, including falsification of documents and making untruthful statements[.]

¹⁶⁰ *See Request of the Public Attorney’s Office to Delete Section 22, Canon III of the Proposed Code of Professional Responsibility and Accountability*, A.M. No. 23-05-05-SC (Resolution), July 11, 2023 [Per J. Singh, *En Banc*].



- (2) Suspension from the practice of law for a period exceeding six (6) months;
- (3) Revocation of notarial commission and disqualification as notary public for not less than two (2) years; or
- (4) A fine exceeding [PHP] 100,000.00.¹⁶¹

The Court emphasizes that since membership in the bar is an integral qualification for membership in the bench, his or her moral fitness as a judge also reflects his or her moral fitness as a lawyer.¹⁶² The members of the Bar are expected and required to have a high sense of morality, honesty, and fair dealing. Lawyers must conduct themselves with great propriety, and their behavior must be beyond reproach anywhere and at all times.¹⁶³

The ruling in *Samson v. Caballero*¹⁶⁴ illumines:

The first step towards the successful implementation of the Court's relentless drive to purge the judiciary of morally unfit members, officials and personnel necessitates the imposition of a rigid set of rules of conduct on judges. **The Court is extraordinarily strict with judges because, being the visible representation of the law, they should set a good example to the bench, bar[,] and students of the law.** The standard of integrity imposed on them is – and should be – higher than that of the average person for it is their integrity that gives them the right to judge.¹⁶⁵ (Emphasis supplied)

Here, it is apparent that the acts of Judge Alamada did not only affect the image of the judiciary but also put her moral character in serious doubt and rendered her unfit to continue in the practice of law. Possession of good moral character is not only a prerequisite to admission to the bar but also a continuing requirement for the practice of law. If the practice of law is to remain an honorable profession and attain its basic ideals, those counted within its ranks should not only master its tenets and principles but should also accord continuing fidelity to them. The requirement of good moral character is of much greater import, as far as the general public is concerned, than the possession of legal learning.¹⁶⁶

¹⁶¹ CODE OF PROFESSIONAL RESPONSIBILITY AND ACCOUNTABILITY, Canon VI, sec. 37(a).

¹⁶² See *Nava II v. Artuz*, 871 Phil. 1 (2020) [*Per Curiam, En Banc*].

¹⁶³ *Re: Show Cause Order in the Decision dated May 11, 2018 in G.R. No. 237428*, 836 Phil. 166, 175 (2018) [*Per J. Tijam, En Banc*]. (Citation omitted)

¹⁶⁴ 612 Phil. 737 (2009) [*Per Curiam, En Banc*].

¹⁶⁵ *Id.* at 752.

¹⁶⁶ *Re: Decision Dated April 23, 2010 in Consolidated Administrative Cases*, A.C. No. 8616, March 8, 2023 [*Per Curiam, En Banc*].

In this case, Judge Alamada committed multiple infractions which is aggravated by her lack of remorse as shown by her repetitive allegations that Judge Abad and Judge Sakkam only filed the administrative complaints against her as leverage because she filed an administrative complaint against Judge Abad. She likewise claimed that Judge Abad and Judge Sakkam were motivated by revenge, hatred, and ill will in doing so. Thus, considering the foregoing and the severity of her offenses, the Court deems it proper to impose the penalty of disbarment against Judge Alamada.

Worwor-Miguel and De Jesus are guilty of Falsification of Official Documents and Serious Dishonesty

Worwor-Miguel admitted that she had signed on Judge Alamada's behalf the payroll register for the periods November 1-15, 2020, December 1-15, 2020, January 1-15, 2021, February 1-15, 2021, February 16-28, 2021, June 1-15, 2021, and June 16-30, 2021. Meanwhile, De Jesus admitted that she had signed on Judge Alamada's behalf the payroll register for the period May 16-31, 2021.

Evidently, Worwor-Miguel and De Jesus falsified the payroll registers by signing the same, thereby certifying on behalf of Judge Alamada that Eraga, among others, has rendered service for the time stated on the said payroll registers, despite having no knowledge of the same.

By the same act, Worwor-Miguel and De Jesus also committed Serious Dishonesty. When a dishonest act caused serious damage and grave prejudice to the government such as when the integrity of the office is tarnished,¹⁶⁷ the same constitutes Serious Dishonesty. Because of the false certifications from Worwor-Miguel and De Jesus that Eraga was still reporting to the MTCC Branch 3, the integrity of their office was tarnished by the falsification and dishonesty committed. As court employees, it was expected of them to set a good example for other court employees in the standards of propriety, honesty, and fairness. They are obliged to practice a high degree of work ethic and to abide by the exacting principles of ethical conduct and decorum.¹⁶⁸

While the Court agrees with the JIB's finding that Worwor-Miguel and De Jesus are guilty of Falsification of Official Documents and Serious Dishonesty, it does not agree that they are also liable for Commission of a

¹⁶⁷ CSC Memorandum Circular No. 13 (2021), sec. 3(a).

¹⁶⁸ *Re: Alleged Dishonesty and Falsification of Civil Service Eligibility of Mr. Samuel R. Ruez, Jr.*, 869 Phil. 554, 560-561 (2020) [*Per Curiam. En Banc*]. (Citation omitted)

Crime Involving Moral Turpitude. It should be stressed that not all crimes involve moral turpitude.¹⁶⁹

The Court pronounced in *So v. Lee*:¹⁷⁰

The determination whether there is moral turpitude is ultimately a question of fact and frequently depends on all the circumstances. In turn, it is for the Court to ultimately resolve whether an act constitutes moral turpitude. . . . As defined, acts tainted with moral turpitude are of such gravity that manifests an individual's depravity or lack of moral fiber.¹⁷¹ (Emphasis supplied, citations omitted)

Here, there was no showing that the acts of Worwor-Miguel and De Jesus were tainted with moral turpitude considering that they only signed the payroll registers on behalf of and upon the instruction of Judge Alamada, their superior. They did not materially benefit from said acts.

Thus, the Court finds that Worwor-Miguel and De Jesus are guilty of Falsification of Official Documents and Serious Dishonesty.

Under A.M. No. 21-08-09-SC, Falsification of Official Documents and Serious Dishonesty are both considered serious charges,¹⁷² which are punishable by: (1) dismissal from service, forfeiture of all or part of the benefits as the Supreme Court may determine, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations, provided, however, that the forfeiture of benefits shall in no case include accrued leave credits; (2) suspension from office without salary and other benefits for more than six months but not exceeding one year; or (3) a fine of more than PHP 100,000.00 but not exceeding PHP 200,000.00.

Notably, Worwor-Miguel and De Jesus have no previous administrative liabilities and they have acknowledged their infractions. As correctly observed by the JIB, they only committed the acts complained of due to the instructions of their superior, Judge Alamada, and that they did not gain nor benefit from those acts.

Thus, considering the foregoing, and in the exercise of its sound discretion in the determination of penalties, the Court penalizes Worwor-

¹⁶⁹ See *So v. Lee*, 851 Phil. 395, 401 (2019) [Per J. J. Reyes, Jr., *En Banc*].

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² Further Amendments to Rule 140 of the Rules of Court, sec. 14(c) & (g).

Miguel with a fine in the amount of PHP 140,000.00 for falsifying the payroll registers for seven periods and De Jesus with a fine in the amount of PHP 20,000.00 for falsifying the payroll register for one period.

Agoncillo is absolved from liability

The Court adopts the findings and recommendation of the JIB with respect to Agoncillo. Eraga alleged that it was Agoncillo who took his cash card that was wrapped in a paper. Agoncillo categorically denied this allegation. Nonetheless, the Court deems it reasonable to conclude that Agoncillo may have unknowingly taken a piece of paper containing the cash card from Eraga, but this action was upon Judge Alamada's instruction, so that the latter could take a look at the cash card. Moreover, the cash card did not remain in Agoncillo's possession.

Agoncillo's main participation was the periodic withdrawal of the money from the cash card of Eraga, as instructed by Judge Alamada herself. As testified by Agoncillo, after withdrawing from the cash card, she would return the same and give the withdrawn money to Judge Alamada together with the cash card. These acts do not constitute an administrative offense under A.M. No. 21-08-09-SC. As there was no proof that Agoncillo knew of the illegality of Judge Alamada's actions, no malice can be imputed to her. Thus, the administrative case against Agoncillo is dismissed.

A final word

No position demands greater moral righteousness and uprightness from its holder than a judicial office. Those connected with the dispensation of justice, from the highest official to the lowliest clerk, carry a heavy burden of responsibility.¹⁷³ The image of a court of justice is mirrored in the conduct, official and otherwise, of the personnel who work thereat.¹⁷⁴

The Court will not hesitate to impose the extreme penalty on any judicial officer who has fallen short of the responsibilities of his or her worthy office. Any conduct that violates the norms of public accountability and diminishes the faith of the people in the judicial system must be condemned.¹⁷⁵

¹⁷³ *Anonymous Complaint against Judge Edmundo P. Pintac and Ms. Lorelei T. Sumague*, 886 Phil. 1, 14 (2020) [*Per Curiam, En Banc*]. (Citation omitted)

¹⁷⁴ *Re: Allegation of Falsification Against Process Servers Maximo D. Legaspi and Desiderio S. Tesiorna*, 877 Phil. 352, 361 (2020) [*Per Curiam, En Banc*]. (Citation omitted)

¹⁷⁵ *Office of the Court Administrator v. Judge Yu*, 800 Phil. 307, 420 (2016) [*Per Curiam, En Banc*]. (Citation omitted)

ACCORDINGLY, the Court RESOLVES:**1. In A.M. No. MTJ-23-014 [Formerly JIB FPI No. 21-024-MTJ]**

- a. Respondent Judge Leah Angeli B. Vasquez-Abad is **ADMONISHED** to be more careful in the observance of Supreme Court directives and circulars.

2. In A.M. No. MTJ-23-015 [Formerly JIB FPI No. 21-032-MTJ]

- a. Respondent Judge Sharon M. Alamada¹⁷⁶ is found **GUILTY** of Falsification of Official Documents, Serious Dishonesty, Gross Misconduct, Commission of Crimes Involving Moral Turpitude, and Violations of the New Code of Judicial Conduct. She is **DISMISSED** from the service, with forfeiture of all benefits, except accrued leave credits, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations.
- b. Respondent Judge Sharon M. Alamada is found **GUILTY** of Gross Misconduct and Serious Dishonesty under the Code of Professional Responsibility and Accountability. She is **DISBARRED** from the practice of law. Her name is **ORDERED STRICKEN** from the Roll of Attorneys, effective immediately.
- c. Respondent Rachel Worwor-Miguel is found **GUILTY** of Falsification of Official Documents and Serious Dishonesty. She is penalized with a **FINE** in the amount of PHP 140,000.00, payable within three months from the time this Decision is promulgated.
- d. Respondent Beverly A. De Jesus is found **GUILTY** of Falsification of Official Documents and Serious Dishonesty. She is penalized with a **FINE** in the amount of PHP 20,000.00, payable within three months from the time this Decision is promulgated.

¹⁷⁶ Formerly Judge Sharon M. Alamada-Magayanes, annulled 2021.



- e. Alona P. Agoncillo, Court Stenographer II, Branch 3, Municipal Trial Court in Cities, Calamba City, Laguna, is **IMPLEADED** as a respondent in this case. The administrative case against her is **DISMISSED** for lack of merit.

3. In A.M. No. MTJ-24-026 [Formerly JIB FPI No. 21-033-MTJ]

- a. This administrative complaint is **RE-DOCKETED** as a regular administrative matter.
- b. The administrative case against respondent Judge Sharon M. Alamada is **DISMISSED** for lack of merit.

4. In A.M. No. MTJ-24-027 [Formerly JIB FPI No. 21-042-MTJ]

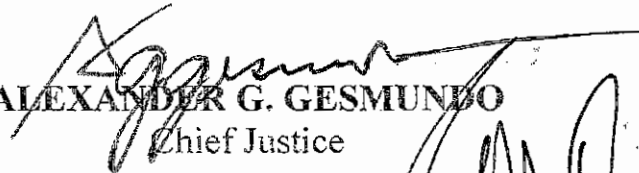
- a. This administrative complaint is **RE-DOCKETED** as a regular administrative matter.
- b. The administrative case against respondents Judge Eric Ismael P. Sakkam and Judge Leah Angeli B. Vasquez-Abad is **DISMISSED** for lack of merit.

The Judicial Integrity Board is ordered to take appropriate steps to file criminal charges against Judge Sharon M. Alamada as may be warranted by the facts. The Judicial Integrity Board shall report to the Court the action taken, within 60 days from notice of this Decision.

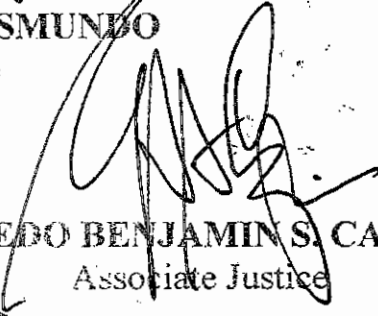
Let copies of this Decision be furnished to: (1) the Office of the Court Administrator for dissemination to all courts throughout the country for their information and guidance; (2) the Integrated Bar of the Philippines for its information and guidance; and (3) the Office of the Bar Confidant to be appended to the personal records of Judge Sharon M. Alamada and Judge Leah Angeli B. Vasquez-Abad as members of the Bar.


SO ORDERED.






ALEXANDER G. GESMUNDO
Chief Justice

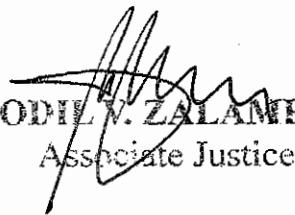

MARVIC M.V.F. LEONEN
Associate Justice

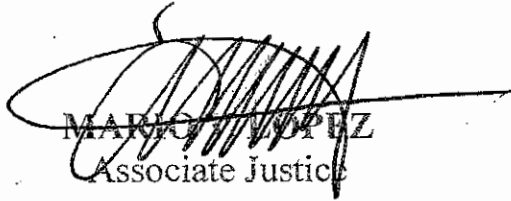

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



RAMON PAUL L. HERNANDO
Associate Justice


AMY C. LAZARO-JAVIER
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice

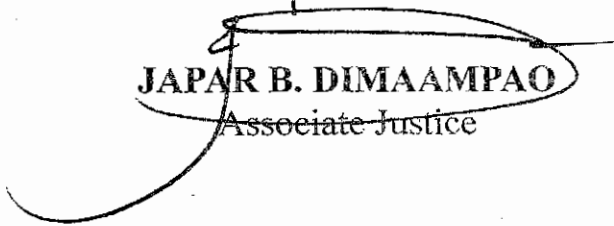

RODIE V. ZALAMEDA
Associate Justice


MARIA LOPEZ
Associate Justice


SAMUEL H. GAERLAN
Associate Justice

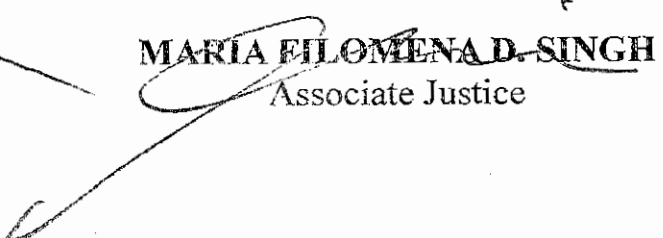

RICARDO R. ROSARIO
Associate Justice


JHOSEP Y. LOPEZ
Associate Justice


JAPAR B. DIMAAMPAO
Associate Justice

(No part)
JOSE MIDAS P. MARQUEZ
Associate Justice


ANTONIO T. KHO, JR.
Associate Justice


MARIA FILOMENA D. SINGH
Associate Justice