

## EN BANC

[ A.M. No. RTJ-09-2183, February 14, 2017 ]

**CONCERNED LAWYERS OF BULACAN, COMPLAINANT, VS.  
PRESIDING JUDGE VICTORIA VILLALON-PORNILLOS, ETC.,  
RESPONDENT.**

**RE: PETITION FOR JUDICIAL CLEMENCY OF THEN JUDGE  
VICTORIA VILLALON-PORNILLOS.**

### R E S O L U T I O N

#### PER CURIAM:

For resolution is a petition for judicial clemency filed by Victoria Villalon-Pornillos (respondent), former Presiding Judge of the Regional Trial Court, Branch 10, Malolos City, Bulacan, through a letter<sup>[1]</sup> dated December 28, 2016.

#### The Facts

On July 7, 2009, the Court rendered a Decision,<sup>[2]</sup> dismissing respondent from service, after having been found guilty of gross misconduct, *i.e.*, borrowing money from a lawyer in a case pending before her court, aggravated by undue delay in rendering decisions or orders, and violation of Supreme Court rules, directives, and circulars. The dispositive portion of the subject Decision reads:

**WHEREFORE**, Judge Victoria Villalon-Pornillos, Presiding Judge of Branch 10 of the Regional Trial Court of Malolos City, is found guilty of violating paragraph 7, Section 8, Rule 140 of the Rules of Court (borrowing money from a lawyer in a case pending before her court) which is also a gross misconduct constituting violation of the Code of Judicial Conduct, aggravated by, *inter alia*, undue delay in rendering decision or orders, and violation of Supreme Court rules, directives and circulars. She is **DISMISSED** from the service, with forfeiture of all retirement benefits, except accrued leave credits, with prejudice to reemployment in any government agency or instrumentality. Immediately upon service on her of this decision, she is deemed to have vacated her office and her authority to act as judge is considered automatically terminated.

SO ORDERED.<sup>[3]</sup>

On August 8, 2016, respondent filed a Petition for Absolute Pardon from 'Dismissal from the Service Sentence'<sup>[4]</sup> accompanied by a letter<sup>[5]</sup> dated August 4, 2016 addressed to the Office of the President (OP), which was referred to the Office of the Court Administrator (OCA), for appropriate action.<sup>[6]</sup> In a Resolution<sup>[7]</sup> dated November 8, 2016, the Court denied the said petition for being an improper pleading.

Meanwhile, on November 3, 2016, respondent also filed a letter<sup>[8]</sup> addressed to the OCA, informing the OP's transmittal of her petition for judicial clemency to the Court, and requesting that the same be subject for judicial review and, consequently, the subject Decision be reversed in her favor. The Court, in a Resolution<sup>[9]</sup> dated November 29, 2016, noted the said letter without action.

On December 28, 2016, respondent filed another letter,<sup>[10]</sup> reiterating her plea for judicial clemency. Respondent insists that she has endured almost eight (8) years of unfounded punishment as the charges and findings against her were based on mere gossip.<sup>[11]</sup> Likewise, she cites the Court's exoneration of former President Gloria Macapagal Arroyo, begging that the same privilege be extended to her in the spirit of Christmas.<sup>[12]</sup>

### **The Court's Ruling**

Judicial clemency is an act of mercy removing any disqualification from the erring judge.<sup>[13]</sup> It can be granted only if there is a showing that it is merited; **thus, proof of reformation and a showing of potential and promise are indispensable.**<sup>[14]</sup>

Proof of remorse and reformation is one of the requirements to grant judicial clemency. As held by the Court in *Re: Letter of Judge Augustus C. Diaz, Metropolitan Trial Court of Quezon City, Branch 37, Appealing for Judicial Clemency*:<sup>[15]</sup>

1. There must be **proof of remorse and reformation**. These shall include but should not be limited to certifications or testimonials of the officer(s) or chapter(s) of the Integrated Bar of the Philippines, judges or judges associations and prominent members of the community with proven integrity and probity. A subsequent finding of guilt in an administrative case for the same or similar misconduct will give rise to a strong presumption of non-reformation.
2. Sufficient time must have lapsed from the imposition of the penalty to ensure a period of reformation.
3. The age of the person asking for clemency must show that he still has productive years ahead of him that can be put to good use by giving him a chance to redeem himself.
4. There must be a showing of promise (such as intellectual aptitude, learning or legal acumen or contribution to legal scholarship and the development of the legal system or administrative and other relevant skills), as well as potential for public service.
5. There must be other relevant factors and circumstances that may justify clemency.<sup>[16]</sup> (Emphasis supplied)

In this case, records are bereft of bowing that respondent has exhibited remorse for her past misdeeds, which occurred more than eight (8) years ago. Apart from respondent's submission to the Court's disciplinary authority, there were no signs of