

FIRST DIVISION

[A.M. No. RTJ-06-1992 (Formerly OCA I.P.I. No. 98-603-RTJ), July 06, 2010]

OLIVIA LAUREL, COURT STENOGRAPHER III, DIANA RAMOS, UTILITY WORKER, BOTH OF THE REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA AND HERMINIA JAVIER, CLERK III, RTC-OFFICE OF THE CLERK OF COURT, BIÑAN, LAGUNA, AND ALBERTO R. NOFUENTE, 3RD ASSISTANT PROVINCIAL PROSECUTOR OF LAGUNA, COMPLAINANTS, VS. JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, RESPONDENT.

[A.M. NO. P-10-2745 (FORMERLY OCA I.P.I. NO. 98-511-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. OLIVIA LAUREL, COURT STENOGRAPHER III, DIANA RAMOS, UTILITY WORKER, BOTH OF THE REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA AND HERMINIA JAVIER, CLERK III, RTC-OFFICE OF THE CLERK OF COURT, BIÑAN, LAGUNA, RESPONDENTS.

[A.M. NO. RTJ-00-1992 (FORMERLY OCA I.P.I. NO. 00-974-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. OLIVIA LAUREL, COURT STENOGRAPHER III, AND DIANA RAMOS, UTILITY WORKER, ALL OF THE REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA, RESPONDENTS. X

[A.M. NO. P-10-2746 (FORMERLY OCA I.P.I. NO. 00-963-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. GERARDO P. HERNANDEZ, CLERK OF COURT V, JULIAN R. ORFIANO, JR., COURT LEGAL RESEARCHER III, MARIA FE L. LOPEZ, COURT STENOGRAPHER III, DIOSALYN N. PEREZ, COURT STENOGRAPHER III, AND JULIETA M. CHAVES, COURT STENOGRAPHER III, ALL OF THE REGIONAL TRIAL COURT, BRANCH 24, BIÑAN, LAGUNA, RESPONDENTS.

[A.M. NO. P-10-2747 (FORMERLY OCA I.P.I. NO. 99-740-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. NICANOR B. ALFONSO, PROCESS SERVER, ANGELITO A.

BATI, UTILITY WORKER I, ARNEL G. MAGAT, SHERIFF IV, HERMINIA S. JAVIER, CLERK III, ALL OF THE REGIONAL TRIAL COURT-OFFICE OF THE CLERK OF COURT, BENEDICTO B. PASCUAL, INTERPRETER III, DIANA A. RAMOS, UTILITY WORKER I, OLIVIA M. LAUREL, COURT STENOGRAPHER III, ANDREW A. SANTOS, CLERK III, RAMON LUIS SEVILLA, PROCESS SERVER, ALL OF THE REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA, JULIAN R. ORFIANO, JR., COURT LEGAL RESEARCHER II, CARIDAD D. CUEVILLAS, CLERK III, CARMELITA D. MORENO, CLERK III, MA. FE L. LOPEZ, COURT STENOGRAPHER III, DIOSALYN N. PEREZ, COURT STENOGRAPHER III, JULIETA M. CHAVES, COURT STENOGRAPHER III, ALL OF THE REGIONAL TRIAL COURT, BRANCH 24, BIÑAN, LAGUNA AND ATTY. MELVIN D.C. MANE, CLERK OF COURT V, RESPONDENTS.

[A.M. NO. P-10-2748 (FORMERLY OCA I.P.I. NO. 99-573-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. CARIDAD D. CUEVILLAS, CLERK III, BRANCH 24, REGIONAL TRIAL COURT, BIÑAN, LAGUNA, RESPONDENT.

[A.M. NO. P-10-2749 (FORMERLY OCA I.P.I. NO. 02-1338-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. HERMINIA S. JAVIER, CLERK III, NICANOR B. ALFONSO, PROCESS SERVER, ANGELITO A. BATI, UTILITY WORKER I, ARNEL G. MAGAT, SHERIFF IV, ALL OF THE REGIONAL TRIAL COURT-OFFICE OF THE CLERK OF COURT, BIÑAN, LAGUNA, CARIDAD D. CUEVILLAS, CLERK III, CARMELITA D. MORENO, CLERK III, DIOSALYN N. PEREZ, COURT STENOGRAPHER III, MARIA FE LOPEZ, COURT STENOGRAPHER III, JULIAN ORFIANO, JR., LEGAL RESEARCHER III, ALL OF THE REGIONAL TRIAL COURT, BRANCH 24, BIÑAN, LAGUNA, BENEDICTO PASCUAL, COURT INTERPRETER III, RAMON LUIS SEVILLA, PROCESS SERVER, ANDREW A. SANTOS, CLERK III AND OLIVIA M. LAUREL, COURT STENOGRAPHER III, ALL OF THE REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA. RESPONDENTS.

[A.M. NO. P-10-2750 (FORMERLY OCA I.P.I. NO. 02-1410-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. ATTY. ROWENA A. MALABANAN-GALEON, CLERK OF COURT V AND BENEDICTO PASCUAL, COURT INTERPRETER III, BOTH OF BRANCH 25, REGIONAL TRIAL COURT, BIÑAN, LAGUNA, RESPONDENTS.

[A.M. NO. P-10-2751 (FORMERLY OCA I.P.I. NO. 02-1411-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. ATTY. ROWENA A. MALABANAN-GALEON, CLERK OF COURT V, REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA, RESPONDENT.

[A.M. NO. P-03-1706 (FORMERLY OCA I.P.I. NO. 02-1409-P)]

JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, COMPLAINANT, VS. ATTY. ROWENA A. MALABANAN-GALEON, CLERK OF COURT V AND OLIVIA M. LAUREL, COURT STENOGRAPHER III, BOTH OF THE REGIONAL TRIAL COURT, BRANCH 25, BIÑAN, LAGUNA, RESPONDENTS.

[A.M. NO. RTJ-10-2214 (FORMERLY OCA I.P.I. NO. 02-1592-RTJ)]

JOEL O. ARELLANO AND ARNEL M. MAGAT, BOTH DEPUTY SHERIFF, REGIONAL TRIAL COURT-OFFICE OF THE CLERK OF COURT, BIÑAN, LAGUNA, COMPLAINANTS. VS. JUDGE PABLO B. FRANCISCO, PRESIDING JUDGE, REGIONAL TRIAL COURT, BRANCH 26, STA. CRUZ, LAGUNA, RESPONDENT.

D E C I S I O N

LEONARDO-DE CASTRO, J.:

For our resolution are 11 consolidated administrative cases.

While Judge Pablo B. Francisco (Judge Francisco) was detailed as acting Presiding Judge of Branch 25, and later on, of Branch 24, of the Regional Trial Court (RTC) of Biñan, Laguna, he instituted nine administrative complaints (A.M. No. P-10-2745, A.M. No. RTJ-00-1992, A.M. No. P-10-2746, A.M. No. P-10-2747, A.M. No. P-10-2748, A.M. No. P-10-2749, A.M. No. P-10-2750, A.M. No. P-10-2751, and A.M. No. P-03-1706) against the following officers and rank and file personnel of the RTC of Biñan, Laguna:

NAMES^[1] alphabetical order)	(in POSITIONS
Nicanor B. Alfonso	Process Server
Joel O. Arellano	Sheriff
Angelito A. Bati	Utility Worker
Julieta M. Chaves	Court Stenographer III
Caridad D. Cuevillas	Clerk III
Atty. Rowena M. Galeon	Branch Clerk of Court
Atty. Gerardo Hernandez	P. Clerk of Court V
Herminia Javier	Clerk III
Olivia Laurel	Court Stenographer III
Maria Fe L. Lopez	Court Stenographer III
Arnel G. Magat	Sheriff IV

Atty. Melvin D.C. Mane	Branch Clerk of Court
Carmelita D. Moreno	Clerk III
Julian R. Orfiano, Jr.	Court Legal Researcher II
Benedicto B. Pascual	Interpreter III
Diosalyn N. Perez	Court Stenographer III
Diana Ramos	Utility Worker
Andrew A. Santos	Clerk III
Ramon Luis Sevilla	Process Server

The two other administrative cases at bar were filed against Judge Francisco: (1) A.M. No. RTJ-06-1992, by Javier, Laurel, and Ramos, together with Prosecutor Alberto R. Nofuente (Pros. Nofuente); and (2) A.M. No. RTJ-10-2214, by Magat and one Joel O. Arellano (Arellano).

We consolidated all 11 administrative cases for a more expedient and exhaustive determination, since all said cases were related to each other and essentially involve the same parties, issues, and causes of action. However, also considering the insufficiency of the records initially available to us, and our inability to resolve the issues based only on the pleadings submitted by the parties, we agreed in the recommendation of the Office of the Court Administrator (OCA) to refer the cases to the Court of Appeals for investigation, report, and recommendation. The cases were raffled to Associate Justice Roberto A. Barrios of the Court of Appeals.

I FACTUAL ANTECEDENTS

Judge Francisco was originally assigned as the Presiding Judge of RTC-Branch 26 of Sta. Cruz, Laguna. After encountering a disconcerting problem in an election case, Judge Francisco requested that he be detailed elsewhere. He was thereafter detailed as the acting Presiding Judge of RTC-Branch 25 of Biñan, Laguna from January 1996 to January 1998, and then of RTC-Branch 24, also of Biñan, Laguna, from February 1998 to September 1998.

At first, the relations between Judge Francisco and the personnel of the RTC of Biñan, Laguna, were friendly and harmonious, but animosity crept in after some time. Even then Executive Judge Helario Corcuera (Executive Judge Corcuera) and Judge Rodrigo Cosico^[2] of the RTC of Biñan, Laguna, were brought into the fray, with Judge Francisco filing various administrative complaints against the previous two judges, which were eventually dismissed.

In a letter^[3] dated August 3, 1998 to Court Administrator Alfredo L. Benipayo (Benipayo), Alfonso, Arellano, Bati, Cuevillas, Javier, Laurel, Lopez, Magat, Atty. Mane, Moreno, Orfiano, Pascual, Perez, Ramos, Santos, and Sevilla expressed their sentiments against Judge Francisco, and demanded that said judge be relieved of his detail at the RTC of Biñan, Laguna and be ordered to return to his permanent post at the RTC of Sta. Cruz, Laguna. The court personnel wrote:

We, the undersigned court personnels of Regional Trial Court, Branches XXIV and XXV and Office of the Clerk of Court, Biñan, Laguna respectfully communicate and convey unto your Honorable Office our sentiments

toward temporary Presiding Judge, HON. PABLO B. FRANCISCO of Branch XXIV, RTC-Biñan, Laguna.

It is the wish of the overwhelming court personnels to have a good and harmonious relationship with their judges so they can have a pleasant working condition to ensure a prompt and efficient performance of their duties and responsibilities. Unfortunately, this wish is now difficult and probably impossible to achieve in the Regional Trial Court, Biñan, Laguna during the incumbency of HON. PABLO B. FRANCISCO in RTC-Branch XXIV.

It all began when Judge Francisco was ordered by your Office to vacate Branch XXV and assume his temporary assignment in Branch XXIV. From then on, we never had an occasion to have an ideal mood and nice atmosphere to perform efficiently our assigned tasks in the judiciary. Four (4) of the staff in Branch XXIV were charged administratively for inexistent and imaginary reasons solely to show his might to those who go against him even on personal matters.

Two (2) employees in Branch XXV and one (1) from the Office of the Clerk of Court and even the Assistant Provincial Public Prosecutor were likewise victims of his suspicious mind when he cited them in direct contempt based on concocted ideas which could have cost their liberties for a period of nine (9) days if not for the timely temporary restraining order issued by the Honorable Court of Appeals.

Two (2) deputy sheriffs [of] the Court were obliged by HON. PABLO B. FRANCISCO to contribute Two Thousand Pesos (P2,000.00) each to defray the "salary" of his personal bodyguard which amount is a big imposition on their meager salary. Out of fear, the two (2) sheriffs were constrained to shoulder that burden even though it is against their will.

Court employees had to bear insults even in open Court for slightest mistakes. He always gives bad interpretation to laughs and smiles. He always interpreted glances to mean making faces to ridicule him. He is also fond of delivering speeches in open Court and even after court sessions practically accusing all court personnel in RTC-Biñan, Laguna, are engaged in graft and corruption. Demoralizing remarks to humiliate and downgrade reputation and morals as public servants of employees are more often than not the order of the day. This uncalled behavior already caused the untimely resignation of his Branch Clerk of Court and utility aide and probably we will end up the same if his continued stay in Branch XXIV will be allowed by your Honorable Office.

Lately, he announced that he will prevent any retirement benefits available to those future retirees as he is decided to file administrative cases against each and every one of the Court personnel.

We, the undersigned Court employees of Branches XXIV and XXV of the Regional Trial Court are now totally demoralized, scared and afraid of the vindictive mind and future moves of HON. PABLO B. FRANCISCO. Fears now engulfed our minds as simple glances on him might cost our liberties