

## THIRD DIVISION

[ **A.M. No. P-08-2569 [Formerly OCA IPI No. 08-2789-P], October 30, 2009** ]

**JUDGE RENE B. BACULI, COMPLAINANT, VS. CLEMENTE U. UGALE, INTERPRETER II, MUNICIPAL TRIAL COURT IN CITIES BRANCH 1, TUGUEGARAO CITY, CAGAYAN, RESPONDENT.**

### DECISION

**PERALTA, J.:**

In a Letter-Complaint dated February 11, 2008, complainant Judge Rene B. Baculi, presiding judge of the Municipal Trial Court in Cities, Branch 1, Tuguegarao City, charged respondent Clemente U. Ugale, Interpreter II, of the same court, with Incompetence, Habitual Drunkenness and Loafing.

Prior to the instant complaint, Judge Baculi had already issued several memoranda to respondent concerning the same charges, to wit:

*First*, on October 9, 2007, reminding respondent of his propensity to be always out of office resulting in his failure to perform his duty as court interpreter;

*Second*, on February 4, 2008, informing respondent of the manifestation made by a certain Atty. Antonio Laggui that respondent is incapable of performing his function as court interpreter, specifically in his interpretation of the vernacular dialect into English during court trials; and

*Third*, on February 4, 2008, reminding respondent of his habitual drunkenness even during office hours.

In all memoranda, complainant Judge ordered respondent to explain all the charges against him and explain altogether why no sanctions should be imposed on him. However, in all three (3) instances, respondent ignored the same. Thus, prompting Judge Baculi to file the instant administrative complaint against Ugale.

In his Comment dated May 12, 2008, respondent explained:

Your Honor, may I inform your good Office that I met a vehicular accident sometime in February 2003 and sustained broken legs and due to the cold weather in the past months (January and February 2008), ***the pains of my injuries recurred and because I could no longer bear the severe pains, I resorted to occasional drinking liquor just to ease myself from such extreme pains***, your Honor. That the Honorable Judge was unaware of my present ailment and he might have misunderstood my acts as a sign of disrespect to him and to the Court and negligence on my job. My apologies, therefore, to the Honorable

Judge and to your Honor.

***That due to the consistent recurrence of the pains on the injuries I sustained and with the medicines I took, it affected my sense of hearing so much so that I could not give the correct interpretation, especially during court hearings, the reason for which I went on leave starting February 2008. In fact, I voluntarily applied for an early retirement for I could no longer efficiently perform my duties in Court due to unbearable pains.***

Sad to note that I was not able to inform personally the Honorable Judge that I already filed my application for retirement. Again, my greatest apology to the Honorable Judge and to your Honor for my shortcomings.

[1]

Unconvinced, the Office of the Court Administrator (OCA) recommended that respondent Ugale be held liable for Incompetence, Habitual Drunkenness and Loafing, and be suspended for eight (8) months.

We adopt the recommendation of the OCA.

Time and again, this Court has pointed out the heavy burden and responsibility which court personnel are saddled with, in view of their exalted positions as keepers of the public faith. They should, therefore, be constantly reminded that any impression of impropriety, misdeed or negligence in the performance of official functions must be avoided. Those who work in the judiciary must adhere to high ethical standards to preserve the court's good name and standing. They should be examples of responsibility, competence and efficiency, and they must discharge their duties with due care and utmost diligence, since they are officers of the court and agents of the law. Indeed, any conduct, act or omission on the part of those who would violate the norms of public accountability and diminish or even just tend to diminish the faith of the people in the judiciary shall not be countenanced.[2]

In the instant case, respondent cannot take refuge behind his alleged ailment to justify his infractions. In fact, respondent made no categorical denial of the accusations against him. He merely sidestepped the same by explaining that he had been drinking in order to ease the pains brought about by his leg injury. He shifted the blame on the medications he took for his failure to perform his duties as court interpreter. He had been constantly reminded of his unfavorable behavior but he remained unrepentant. The only time he took an effort to make excuses for himself was when an administrative complaint was already filed against him. However, the fact remains that, even by his own admission, respondent had been remiss in the performance of his duties.

Moreover, it is also our view that if respondent was really concerned in dissipating his leg pains, he should have consulted a doctor instead of resorting to drinking alcohol. His theory that the alcohol had a therapeutic effect on his ailment fails to convince. Even assuming that it was true, respondent should be aware that drinking liquors during office hours is strictly prohibited. Furthermore, as court interpreter, he ought to know as well that he performs an important role in running the machinery of our trial court system necessary for the proper and speedy disposition of cases. Thus, if indeed his ailment made it difficult for him to comply with his duties, he