



Republic of the Philippines
Supreme Court
 Manila

EN BANC

**OFFICE OF THE COURT
 ADMINISTRATOR,**
 Complainant,

A.M. No. RTJ-15-2440
 (Formerly A.M. No. 14-10-338-RTC)

Present:

LEONARDO-DE CASTRO, *C.J.*,
 CARPIO,
 PERALTA,
 BERSAMIN,
 DEL CASTILLO,*
 PERLAS-BERNABE,
 LEONEN,
 JARDELEZA,
 CAGUIOA,
 TIJAM,
 A. REYES, JR.,
 GESMUNDO, and
 J. REYES, JR., *JJ.*

- versus -

**JUDGE JULIANA ADALIM-
 WHITE, Regional Trial Court,
 Branch 5, Oras, Eastern Samar,**
 Respondent.

Promulgated:

September 4, 2018

X-----X

DECISION

PER CURIAM:

For resolution is the Indorsement¹ dated March 17, 2014 of the Office of the Ombudsman (Visayas), Cebu City, referring to the Court the Motion for Execution² filed by Mr. Roberto T. Lim (Mr. Lim), in his capacity as the complainant in OMB-V-A-02-0186-E relative to the implementation of the administrative penalty of one (1) month suspension meted against respondent Judge Juliana Adalim-White (respondent Judge Adalim-White), Regional Trial Court, Branch 5, Oras, Eastern Samar.

* On official leave.

¹ *Rollo* (A.M. No. RTJ-15-2440), p. 5.

² *Id.* at 6-8.

The factual and legal antecedents are as follows:

On May 2, 2002, an administrative complaint for misconduct was filed by Mr. Lim before the Office of the Ombudsman (Visayas) against respondent Judge Adalim-White, or prior to her appointment³ as judge, for acting as counsel for her brother, Francisco Adalim (Mayor Adalim), former Municipal Mayor of Taft, Eastern Samar, in connection with an administrative case filed against the latter and his wife before the National Telecommunications Commission (NTC) for operating an unlicensed cable television network.

Mr. Lim averred that Mayor Adalim and his business partner, Rolando R. Olog (Olog), were operating Reliance CATV System in Mayor Adalim's compound in Taft, Eastern Samar, without a valid permit and franchise from the NTC.⁴ As a result thereof, the NTC *en banc* issued a Show Cause Order dated December 18, 2001, directing Mayor Adalim to cease and desist from operating the subject CATV (NTC Order).⁵

On January 16, 2002, NTC officials were in the house of Mayor Adalim to enforce the NTC Order when respondent Judge Adalim-White, who was at the time serving as the District Public Attorney of the Public Attorney's Office (PAO) in Borongan, Eastern Samar, arrived and told them that they could not implement the subject Order because they were filing a Motion for Reconsideration and that Reliance CATV System was under the name of Olog.⁶

During the preliminary conference before the Ombudsman held on January 15, 2003, respondent Judge Adalim-White manifested that she was representing herself and her brother.⁷

Mr. Lim's complaint was grounded on the prohibition against respondent Judge Adalim-White, being then a PAO lawyer, from engaging in private practice or from acting as counsel for immediate members of her family and relatives within the 4th civil degree of consanguinity or affinity without the necessary approval therefor.

In a Decision⁸ dated May 28, 2003 (Ombudsman Decision), the Ombudsman found respondent Judge Adalim-White guilty of simple misconduct and meted against her the penalty of one (1) month suspension without pay.

The Ombudsman ruled that respondent Judge Adalim-White was administratively liable for representing her brother as his lawyer on two (2)

³ Respondent Judge Adalim-White was appointed RTC Judge on December 17, 2003; see *rollo* (A.M. No. RTJ-15-2440), p. 62.

⁴ *Rollo* (A.M. No. RTJ-15-2440), p. 10.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 13-14.

⁸ *Id.* at 9-17.

different occasions without first acquiring a written authority from the Regional Director of PAO.⁹ The Ombudsman found that she acted as legal counsel of her brother, Mayor Adalim, when she faced the NTC officials from Tacloban City who went all the way to Taft, Eastern Samar to serve the NTC Order.¹⁰ This fact was even admitted by respondent Judge Adalim-White in her counter-affidavit, although she claimed that she was merely expressing her opinion to the NTC officials.¹¹ The second occasion was during the preliminary conference before the Ombudsman when she entered her appearance as counsel for her brother and for herself, without the written approval from her superior authorizing her to do so.¹²

The Court of Appeals, in a Decision¹³ dated January 26, 2006 and a Resolution¹⁴ dated May 3, 2006, denied respondent Judge Adalim-White's petition seeking to reverse the subject Ombudsman Decision.

Aggrieved, respondent Judge Adalim-White filed a petition before the Court.

The First Division of the Court, in a Resolution¹⁵ dated July 14, 2008, denied respondent Judge Adalim-White's petition for failure to sufficiently show that the Court of Appeals committed any reversible error in the challenged decision and resolution so as to warrant the exercise of the Court's discretionary appellate jurisdiction. An Entry of Judgment¹⁶ was thereafter issued on October 9, 2008 rendering the denial of respondent Judge Adalim-White's petition as final and executory.

Mr. Lim thereafter filed a Motion for Execution dated October 7, 2013 seeking the implementation of the Ombudsman Decision. The subject Motion was referred to the Court for appropriate action.

In a Report¹⁷ dated September 29, 2014, the Office of the Court Administrator (OCA) asserted that there was no reason not to implement the Motion for Execution even if the Ombudsman Decision pertained to acts committed by respondent Judge Adalim-White when she was still a PAO lawyer.¹⁸ The penalty of one (1) month suspension could not have been enforced while respondent Judge Adalim-White was still a PAO lawyer because the decision had not yet, at that time, attained finality.¹⁹ The OCA further noted that the transfer of respondent Judge Adalim-White to the Judiciary could not have had the effect of rendering without force and effect

⁹ Id. at 15.

¹⁰ Id. at 15-16.

¹¹ Id. at 16.

¹² Id.

¹³ Id. at 18-19.

¹⁴ Id. at 20-21. Penned by Associate Justice Isaias P. Dicedican, with Associate Justices Ramon M. Bato, Jr. and Apolinario D. Bruselas, Jr. concurring.

¹⁵ Id. at 22-23.

¹⁶ Id. at 24.

¹⁷ Id. at 1-4.

¹⁸ Id. at 2.

¹⁹ Id.

the Ombudsman Decision as affirmed by the Court of Appeals.²⁰ Respondent Judge Adalim-White's transfer to the Judiciary was, as articulated by the OCA, merely a continuation of her service in the government and any infraction committed while in the service must be penalized, irrespective of the government agency in which she is presently employed.²¹

This notwithstanding, the OCA recommended that the enforcement of the penalty of the one (1) month suspension should be held in abeyance because the OCA had uncovered another infraction committed by respondent Judge Adalim-White in connection with her case before the Office of the Ombudsman.²² According to the OCA, respondent Judge Adalim-White's Personal Data Sheet (PDS) accomplished on **February 9, 2004** (when she first assumed the position of RTC Judge) revealed that she had failed to disclose that an administrative case had been filed against her on May 2, 2002 before the Office of the Ombudsman (Visayas) and that she had, in fact, been penalized therefor in the Ombudsman Decision dated May 28, 2003.²³

As such, the OCA recommended that: (1) the instant Agenda Report, on the failure of respondent Judge Adalim-White to disclose in her February 9, 2004 PDS the case filed by Mr. Lim against her before the Ombudsman, be considered as an administrative complaint against respondent Judge Adalim-White for dishonesty and falsification of an official document and that the same be docketed as a regular administrative matter; (2) respondent Judge Adalim-White be furnished a copy of the instant Agenda Report and be required to comment within ten (10) days from the receipt of the same; (3) respondent Judge Adalim-White be suspended without pay during the pendency of the instant administrative matter; and (4) the action on the Motion for Execution dated October 7, 2013 filed by Mr. Lim be held in abeyance, until the final resolution of the administrative matter.²⁴

The Court *en banc* adopted the recommendations of the OCA in a Resolution²⁵ dated October 20, 2015.

Comment by respondent Judge Adalim-White

Respondent Judge Adalim-White, in her Comment²⁶ dated December 18, 2015, prayed that the order of suspension against her be reconsidered for being moot and academic, in light of the findings against her in another case entitled, "*Marc Titus D. Cebreros v. Hon. Juliana Adalim-White, Presiding*"

²⁰ Id.

²¹ Id.

²² Id.

²³ Id.

²⁴ Id. at 3-4.

²⁵ Id. at 44-45.

²⁶ Id. at 46-47.

Judge, Regional Trial Court, Branch 5, Oras, Eastern Samar” docketed as OCA IPI No. 07-2673-RTJ.

In the said case, Cebreros charged respondent Judge Adalim-White with dishonesty for her “*deliberate failure to divulge, at the time the Judicial and Bar Council was deliberating on her nomination for RTC Judge, that a one-month suspension had been imposed upon her on May 28, 2003, by the Office of the Ombudsman (Visayas) for Simple Misconduct.*”²⁷

Cebreros underscored the fact that notwithstanding the pending administrative case filed against her, respondent Judge Adalim-White indicated in her Judicial and Bar Council (JBC) Form No. 1 on February 14, 2002 that she had never been charged with or convicted of or otherwise imposed a sanction for the violation of any law, decree, ordinance or regulation by any court, tribunal, or any other government office, agency or instrumentality in the Philippines or in any foreign country, or found guilty of an administrative offense or imposed any administrative sanction.

The Court dismissed Cebrero’s complaint, ruling that respondent Judge Adalim-White could not be faulted for not disclosing in her JBC Form No. 1 the administrative case because the subject JBC Form No. 1 was accomplished on February 14, 2002, or more than two (2) months before the subject case was filed before the Ombudsman on April 24, 2002.

The Court also ruled that there was insufficient evidence to prove that respondent Judge Adalim-White had deliberately omitted to disclose her pending administrative case because information on the pending administrative case against her was readily available to the JBC as early as April 10, 2003 when the JBC Secretariat received a sworn affidavit of Mr. Roberto Lim vehemently objecting to respondent’s application for the judiciary primarily based on the Ombudsman case.

Respondent Judge Adalim-White thus argued in her Supplemental Comment dated March 3, 2016 that she should also be exonerated from the present charge relative to her failure to disclose the same administrative case in her February 9, 2004 PDS (*i.e.*, when she assumed office as a judge) because there was no intent on her part to deliberately fail to disclose the administrative case filed against her.

In her Supplemental Comment, respondent Judge Adalim-White reiterated her prayer for the lifting of the suspension order and the dismissal of the administrative case against her. Respondent Judge Adalim-White averred that while she may have failed to disclose the pendency of an administrative case in the PDS that she submitted upon her assumption as RTC judge, she maintained that the same was unintentional, in good faith and was not intended to defraud anybody.

²⁷ *Rollo* (OCA IPI No. 07-2673-RTJ), pp. 1 & 9.

Respondent Judge Adalim-White explained that she answered “*NO*” to the question, “*Have you ever been declared guilty of any administrative offense?*” because she honestly assumed and believed that ‘guilty’ meant final and executory judgment. She further added that it was her honest belief that she had not been declared guilty by the Ombudsman, asserting that she was simply penalized with a one (1) month suspension for her simple misconduct. She further asseverated that the source of confusion is the dispositive portion of the Ombudsman Decision, which reads:

WHEREFORE, premises considered, this Office hereby finds **Francisco C. Adalim guilty of Misconduct** and is meted a penalty of three (3) months suspension without pay and a stern warning that he should immediately divest himself of his interest over Reliance CATV and Entertainment Services.

Atty. Juliana Adalim-White is meted with a penalty of one (1) month suspension without pay for simple Misconduct with an admonition that repetition of the same act will be dealt with more severely.²⁸ (Emphasis supplied)

Respondent Judge Adalim-White also stated that she had no intention to be dishonest because the administrative case against her was even discussed in her panel interview with the members of the Judicial and Bar Council and in the psychiatric examination she underwent.

The Court *en banc*, in a Resolution²⁹ dated September 6, 2016, thereafter referred the matter to the OCA for evaluation, report and recommendation.

OCA Report and Recommendation

In a Report³⁰ dated January 16, 2017, the OCA recommended that respondent Judge Adalim-White be found guilty of dishonesty and be suspended from office for one (1) year to commence from notice; and the Motion for Execution filed by Mr. Lim, seeking the implementation of the penalty of one (1) month suspension that had been meted against by the Ombudsman be granted and said penalty, together with the one (1) year suspension from office imposed in the instant case, be served by respondent Judge Adalim-White successively.³¹

The OCA found respondent Judge Adalim-White’s explanation in her Supplemental Comment to be insufficient as this did not erase the fact that she had made an untruthful claim in her PDS.³²

²⁸ *Rollo* (A.M. No. RTJ-15-2440), p. 16.

²⁹ *Id.* at 131.

³⁰ *Id.* at 134-140.

³¹ *Id.* at 140.

³² *Id.* at 136.

The OCA asserted that a careful perusal of the wording of the question “*Have you ever been declared guilty of any administrative offense?*” would show that it actively solicits an answer that pertains to any conviction, whether it was already final and executory or not. Respondent Judge, being then a newly-appointed member of the bench, should have known the importance of completing her PDS with honesty and directness notwithstanding her personal belief on the matter.³³

The OCA explained that judges are expected to have more than a cursory acquaintance with law and jurisprudence. The making of untruthful statements in the PDS amounts to dishonesty and falsification of an official document.³⁴ Respondent Judge Adalim-White knew exactly what the question called for and what it meant, and that she was committing an act of dishonesty but proceeded to do it anyway.³⁵

Dishonesty, being in the nature of a grave offense, carries the extreme penalty of dismissal from the service with forfeiture of retirement benefits except accrued leave credits, and perpetual disqualification from reemployment in the government service.³⁶

However, the OCA reasoned that while respondent Judge Adalim-White’s act of dishonesty is beyond cavil, the same does not warrant the extreme penalty of dismissal. Here, the OCA observed that while the February 9, 2004 PDS was accomplished when respondent Judge Adalim-White was already appointed to the bench, it did not appear that the omission was for the purpose of seeking a promotion.³⁷

In recommending the proper penalty, the OCA also noted that respondent Judge Adalim-White had already been reprimanded in A.M. No. MTJ-13-1827³⁸ and in A.M. No. RTJ-08-2147³⁹; suspended for one (1) year in A.M. No. RTJ-16-2443⁴⁰; and imposed a fine of ₱10,000.00 in A.M. No. 9

³³ Id. at 137.

³⁴ *Ratti v. Mendoza-De Castro*, 478 Phil. 871, 882 & 883 (2004).

³⁵ *Rollo* (A.M. No. RTJ-15-2440), p. 138.

³⁶ *Ratti v. Mendoza-De Castro*, supra note 34, at 883.

³⁷ *Rollo* (A.M. No. RTJ-15-2440), p. 138.

³⁸ The Second Division of this Court, in a Resolution dated June 6, 2016, reprimanded respondent Judge Adalim-White and enjoined her to be more circumspect in filing administrative cases especially against her fellow judges. In this case, respondent Judge Adalim-White filed an administrative complaint for Grave Misconduct against Judge Chita A. Umil for her “strong conviction” that Judge Umil obtained the custody of a detention prisoner without authority from the court in order to employ the detention prisoner as her household help. Other than her bare allegations, respondent Judge Adalim-White failed to substantiate her allegations.

³⁹ The Court, in a Minute Resolution dated November 10, 2008, reprimanded respondent for unbecoming conduct for attending a political rally in support of her brother, Mayor Adalim, who lost the mayoralty race to complainant in the municipality of Taft, Samar.

⁴⁰ The Second Division of this Court, in a Resolution dated January 11, 2016, found respondent Judge Adalim-White guilty of gross ignorance of the law and gross misconduct and suspended her from office for one (1) year, without salary and other benefits, for allowing an accused for Murder several furloughs based on motions that did not contain a notice of hearing, did not comply with the three-day notice rule and were not set for hearing. The Court also found that respondent Judge Adalim-White caused the unauthorized alteration of the transcript of stenographic notes, deleting the exchange

RTJ-14-2374⁴¹.

Factoring all these, the OCA deemed it sufficient to impose the penalty of one (1) year suspension from office to commence from notice.

With respect to the service of the penalty of one (1) month suspension meted by the Ombudsman Decision, the OCA recommended that it be served after the one (1) year suspension from office.

The Court's Ruling

The Court agrees with the findings and well-reasoned conclusions of the OCA. However, the Court believes, and so holds, that the penalty should be modified.

Dishonesty has been defined as

x x x intentionally making a false statement on any material fact, or practicing or attempting to practice any deception or fraud in securing his examination, appointment, or registration. It is a serious offense which reflects a person's character and exposes the moral decay which virtually destroys his honor, virtue and integrity. It is a malevolent act that has no place in the judiciary, as no other office in the government service exacts a greater demand for moral righteousness from an employee than a position in the judiciary.⁴²

The importance of accomplishing a PDS with utmost honesty cannot be stressed enough.⁴³

The accomplishment of a PDS is a requirement under the Civil Service Rules and Regulations in connection with employment in the government.⁴⁴ The making of untruthful statements therein is, therefore, connected with such employment.⁴⁵ As such, making a false statement therein amounts to dishonesty and falsification of an official document. Dishonesty and falsification are considered grave offenses.⁴⁶

between respondent and the prosecutor on the prosecution's presentation of additional witnesses. (*Balanay v. White*, 776 Phil. 1 [2016].)

⁴¹ The Court, in a Minute Resolution dated February 3, 2014, found respondent guilty of impropriety and conduct unbecoming of a judge for actively taking part in a public consultation in the municipal hall of Taft, Samar between her brother, Mayor Francisco Adalim and the twenty-two (22) employees of the municipal government of Taft terminated from work by Mayor Adalim. The Court ruled that "as Presiding Judge, her presence in the meeting, regardless of whether it was accidental, casts aspersions on the position she holds, and on the integrity of the Judiciary as a whole, considering that the respondent is her brother Mayor."

⁴² *Office of the Court Administrator v. Bermejo*, 572 Phil. 6, 14 (2008). See also *Civil Service Commission v. Longos*, 729 Phil. 16, 19 (2014).

⁴³ *Rollo* (A.M. No. RTJ-15-2440), p. 3.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

The Court has not hesitated to impose the extreme penalty of dismissal from the service on employees found guilty of such offenses.⁴⁷

In *In the Matter of: Anonymous Complaint for Dishonesty, Grave Misconduct and Perjury Committed by Judge Contreras*,⁴⁸ the Court emphasized that civil service rules mandate the accomplishment of the PDS as a requirement for employment in the government. In the said case, the Court ruled that “[a] careful perusal of the wording of the question “*Have you ever been charged?*” would show that it solicits an answer that pertains to either past or present charge, whether it was already dismissed or not.”⁴⁹

In *Office of the Court Administrator v. Estacion, Jr.*,⁵⁰ respondent Judge therein was dismissed from the service for withholding the information in his application for appointment the fact that he was facing criminal charges for homicide and attempted homicide.

In like manner, respondent Judge in *Re: Inquiry on the Appointment of Judge Enrique A. Cube*,⁵¹ was ordered dismissed because of his concealment of his previous dismissal from the public service, which the JBC would have taken into consideration in acting on his application, which act of dishonesty rendered him unfit to be appointed to, and to remain in, the Judiciary which he has tarnished with his falsehood.⁵²

Respondent Judge in *Gutierrez v. Belan*,⁵³ was likewise dismissed from the service for indicating in his PDS submitted to the JBC that there was no pending criminal or administrative case against him notwithstanding that he had been indicted in a criminal case which then remained pending.

Relative to respondent Judge Adalim-White’s argument that she had honestly believed that the term ‘*guilty*’ in the question meant final and executory judgment, the OCA correctly stated that respondent Judge Adalim-White ought to have been familiar with the categorical ruling by the Court in the case of *Alday v. Cruz, Jr.*,⁵⁴ citing *Development Bank of the Philippines v. Malaya*,⁵⁵ which were decided as early as 2002 and 1999 respectively, holding that penalties imposed in administrative cases are immediately executory.⁵⁶

Even granting that respondent Judge Adalim-White had been motivated by good intentions leading her to disregard the laws governing

⁴⁷ Id.

⁴⁸ 783 Phil. 9, 11 (2016).

⁴⁹ Id. at 14; italics supplied.

⁵⁰ 260 Phil. 1 (1990).

⁵¹ 297 Phil. 1141 (1993).

⁵² Id. at 1146.

⁵³ 355 Phil. 428 (1998).

⁵⁴ 426 Phil. 385 (2002).

⁵⁵ A.M. No. P-98-1277 (formerly OCA-IPI No. 95-45 RTJ), July 27, 1999.

⁵⁶ *Alday v. Cruz, Jr.*, supra note 54, at 388-389.

PDS forms, these personal motivations cannot relieve her from the administrative consequences of her actions as they affect her competency and conduct as a judge in the discharge of her official functions.

To be able to render substantial justice and maintain public confidence in the legal system, judges should be embodiments of competence, integrity and independence.⁵⁷ Judges should exhibit more than just a cursory acquaintance with the statutes and procedural rules,⁵⁸ and should be diligent in keeping abreast with developments in law and jurisprudence.⁵⁹

The Court has previously held that when a law or rule is basic, judges owe it to their office to simply apply the law. Anything less is ignorance of the law.⁶⁰ There is gross ignorance of the law when an error committed by the judge was “gross or patent, deliberate or malicious.”⁶¹ It may also be committed when a judge ignores, contradicts or fails to apply settled law and jurisprudence because of bad faith, fraud, dishonesty or corruption.⁶² Gross ignorance of the law or incompetence cannot be excused by a claim of good faith.⁶³

In this case, respondent Adalim-White’s utter disregard to apply the settled laws and jurisprudence on the accomplishment of PDS forms constitutes gross ignorance of the law which merits administrative sanction. Section 8 (9), Rule 140 of the Rules of Court classifies gross ignorance as a serious charge with the following imposable penalties:

1. Dismissal from the service, forfeiture of all or part of the benefits as the 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 three (3) but not exceeding six (6) months; or
3. A fine of more than P20,000.00 but not exceeding P40,000.00.⁶⁴

The Court also cannot close its eyes to the fact that respondent Judge Adalim-White had been previously reprimanded by the Court, on several

⁵⁷ *Cabatingan Sr. (Ret.) v. Arcueno*, 436 Phil. 341, 347 (2002), citing CODE OF JUDICIAL CONDUCT, Rule 1.01, Canon 1.

⁵⁸ *Savella v. Ines*, 550 Phil. 14, 19 (2007).

⁵⁹ See *Amante-Descallar v. Ramas*, 601 Phil. 21, 39 (2009); *Aguilar v. Dalanao*, 388 Phil. 717, 724 (2000).

⁶⁰ *Savella v. Ines*, supra note 58, at 19.

⁶¹ *Re: Anonymous Letter dated August 12, 2010, Complaining Against Judge Ofelia T. Pinto, RTC, Br. 60, Angeles City, Pampanga*, 696 Phil. 21, 28, citing *Cabatingan Sr. (Ret.) v. Arcueno*, supra note 57, at 350.

⁶² *Cabatingan Sr. (Ret.) v. Arcueno*, id.

⁶³ See *De los Santos-Reyes v. Montesa, Jr.*, 317 Phil. 101, 112-113 (1995).

⁶⁴ RULES OF COURT, Rule 140, Sec. 11.

occasions, putting her competency in the discharge of official duties into very serious doubt:

Respondent Judge Adalim-White was reprimanded in the case of *Judge Adalim-White v. Judge Chita A. Umil*, docketed as A.M. No. MTJ-13-1827, for filing baseless suits against a fellow judge.

In the case of *Mayor Diego T. Lim v. Judge Adalim-White*, docketed as A.M. No. RTJ-08-2147, respondent Judge Adalim-White was reprimanded for unbecoming conduct for attending a political rally in support of her brother, Mayor Adalim, who lost the mayoralty race in the municipality of Taft, Samar.

In the case of *Armando M. Balanay v. Judge Adalim-White*, docketed as A.M. No. RTJ-16-2443, respondent Judge Adalim-White was found guilty of gross ignorance of the law and gross misconduct and suspended her from office for one (1) year, without salary and other benefits, for allowing an accused for Murder several furloughs based on motions that did not contain a notice of hearing, did not comply with the 3-day notice rule and were not set for hearing. The Court also found that she had caused the unauthorized alteration of the TSN, deleting the exchange between her and the prosecutor on the prosecution's presentation of additional witnesses.

Lastly, in the case of *Vilma Sulse, et al. v. Judge Adalim-White*, docketed as A.M. No. RTJ-14-2374, the Court found respondent Judge Adalim-White guilty of impropriety and conduct unbecoming of a judge for having actively taken part in a public consultation in the municipal hall of Taft, Samar between her brother, Mayor Francisco Adalim and twenty-two (22) employees of the municipal government of Taft terminated from work by Mayor Adalim. The Court ruled there that as Presiding Judge, her presence in the meeting, regardless of whether it was accidental, cast aspersions on the position she holds, and on the integrity of the Judiciary as a whole, considering that her brother was the Mayor.

The **totality** of all these findings underscores the fact that respondent Judge Adalim-White's actions served to erode the people's faith and confidence in the judiciary. She has been remiss in the fulfillment of the duty imposed on all members of the bench in order to avoid any impression of impropriety to protect the image and integrity of the judiciary.⁶⁵

Time and time again, the Court has stressed that "the behavior of all employees and officials involved in the administration of justice, from judges to the most junior clerks, is circumscribed with a heavy responsibility."⁶⁶ As visible representation of the law, respondent Judge Adalim-White should have conducted herself in a manner which would

⁶⁵ See *Office of the Court Administrator v. Lerma*, 647 Phil. 216, 249 (2010).

⁶⁶ *Santos, Jr. v. Mangahas*, 685 Phil. 814, 821 (2012).

merit the respect of the people to her in particular and to the Judiciary in general.⁶⁷ By her blameworthy conduct, she has tainted the image of the judiciary and no longer deserves to be a member thereof.

All told, it is the considered opinion of the Court that the appropriate penalty that should be meted to respondent Judge Adalim-White should be dismissal from the service, with forfeiture of retirement benefits, except leave credits, and with prejudice to re-employment in any branch or instrumentality of the government, including government-owned and controlled corporations.

As regards the penalty of suspension imposed by the Ombudsman, considering that respondent Judge Adalim-White is being dismissed by this decision, then, in lieu of suspension, the penalty of fine equivalent to one (1) month salary is hereby imposed.

WHEREFORE, IN VIEW OF THE FOREGOING, Judge Juliana Adalim-White, Branch 5, Regional Trial Court, Oras, Eastern Samar, is found **GUILTY** of Gross Ignorance of the Law and is hereby **DISMISSED FROM THE SERVICE**, with forfeiture of retirement benefits, except accrued leave credits, and with prejudice to re-employment in any branch, agency or instrumentality of the government, including government-owned or controlled corporations; and the Motion for Execution filed by Mr. Roberto T. Lim, in his capacity as complainant in OMB-V-A-02-0186-E, seeking the implementation of the penalty of one (1) month suspension meted against Judge Adalim-White while she was the District Public Attorney of the Public Attorney's Office in Borongan, Eastern Samar be **GRANTED**. In lieu of suspension, a **FINE** equivalent to one month salary is hereby imposed upon Judge Adalim-White.

SO ORDERED.


TERESITA J. LEONARDO-DE CASTRO
Chief Justice


ANTONIO T. CARPIO
Associate Justice


DIOSDADO M. PERALTA
Associate Justice

⁶⁷ See *Fernandez v. Vasquez*, 669 Phil. 619, 633 (2011).

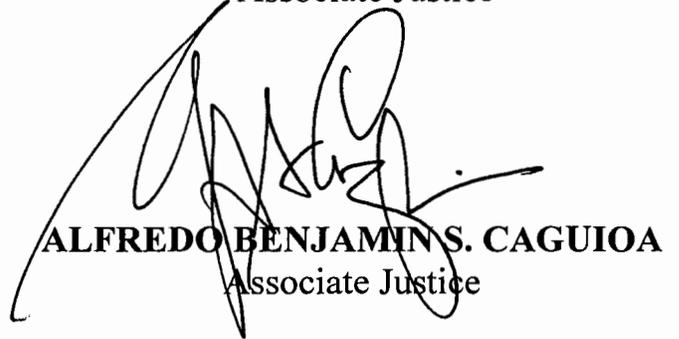

LUCAS P. BERSAMIN
Associate Justice

(On official leave)
MARIANO C. DEL CASTILLO
Associate Justice

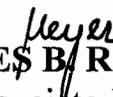

ESTELA M. PERLAS-BERNABE
Associate Justice

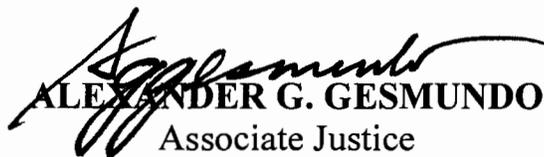

MARVIC M.V.F. LEONEN
Associate Justice

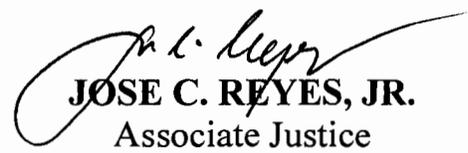

FRANCIS H. JARDELEZA
Associate Justice


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice


NOEL GIMENEZ TIJAM
Associate Justice


ANDRES B. REYES, JR.
Associate Justice


ALEXANDER G. GESMUNDO
Associate Justice


JOSE C. REYES, JR.
Associate Justice

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EDGAR O. ARICHETA
Clerk of Court En Banc
Supreme Court