

THIRD DIVISION

[A.M. No. RTJ- 01-1655, July 08, 2004]

**ATTY. GRACE M. VELOSO AND MA. JOEYLYNN B. QUIÑONES,
COMPLAINANTS, VS. JUDGE ANACLETO M. CAMINADE, RTC,
BRANCH 6, CEBU CITY, RESPONDENT.**

R E S O L U T I O N

CORONA, J.:

Before this Court is an administrative complaint for sexual harassment separately filed by Atty. Grace Veloso and Ma. Joeylynn Quiñones against Judge Anacleto M. Caminade of the Regional Trial Court of Cebu City, Branch 6.

Atty. Veloso, a lawyer of the Public Attorney's Office (PAO) assigned to the RTC branch presided by Judge Caminade, alleged in her affidavit that, on March 9, 2001, she went to the court to check on her work schedule for the following week. Judge Caminade was then having a conversation with two men at the lawyer's table. She was about to leave when Judge Caminade asked her to join them. She acceded to respondent's request as she considered him as her superior. After a few minutes, the two men and Atty. Veloso rose to leave but the judge told her to stay behind because they needed to discuss a case. Judge Caminade then ushered her to his chambers. She was made to sit on the visitor's chair which was just a foot away from where the judge sat.

While discussing the case, she was stunned when Judge Caminade suddenly placed his hand on her right thigh and squeezed it. He then took her hand and kissed it. She immediately stood up and headed towards the door leading to the staff room. He, however, caught up with her and placed his hand on her shoulder. Before she could open the door, Judge Caminade told her "*Kiss ko bi*" (Let me kiss you). Atty. Veloso, who was so shocked, retorted "*Kalood nimo Judge uy*" (You are so disgusting, Judge). She then opened the door and went out of his chambers.

At the staff room, respondent judge, acting as if nothing happened, ordered his researcher to show her certain court records. Although she was trembling, she pretended to look at the records then ran out of the staff room and cried.

On March 12, 2001, Atty. Veloso sent a letter to Judge Caminade informing him of her decision not to appear in his court again as resident PAO lawyer. She was thereafter assigned to another branch of the court.

In his comment dated April 25, 2001, respondent judge averred that, after the court session on March 9, 2001, Atty. Veloso entered his chambers to discuss a case she was handling. Inside the chambers were Atty. Myrna Valderrama-Limbaga, branch clerk of court, and Mr. Othello Capangpangan, a court employee. After discussing her case, she allegedly reminded respondent judge of the motion filed by her father,

Atty. Eustacio Veloso, pertaining to a case pending before his sala. The judge told her to convey to her father that he could not act on the motion yet since he needed more time to review the voluminous records of the case. She promised to relay the message to her father. Purportedly as a gesture of appreciation, Judge Caminade spontaneously placed his hand on her thigh and pressed it while saying "Thank you" to her. He then playfully took her hand and kissed it. She allegedly did nothing to protest such action because she knew that he was just teasing her. He also opined that the complaint was filed by Atty. Veloso in order to erase any doubt about her moral values, knowing that Atty. Limbaga and Mr. Capangpangan were present when he kissed her hand.

Further, Judge Caminade explained that he had a tendency to tease and play pranks on his friends, both male and female, because of his congenial nature. In fact, even before his appointment to the judiciary, it had been his natural way of complimenting women for their physical attributes but he never had any malice or lustful designs in his actuations.

On the other hand, Joeylynn Quiñones, Clerk III in the office of Judge Caminade, claimed that respondent judge squeezed her hand on three different occasions in February 2001. She noticed that the judge would squeeze her hand whenever she gave him the case records. Although offended by his actions, Joeylynn opted to remain silent out of deference to or fear of respondent judge.

Then, on February 14, 2001, Judge Caminade asked her to open a jar of sugar; he was unable to do so due to his disability of having only one hand. Joeylynn entered the judge's chambers and handed him the jar. Once inside, he greeted her "Happy Valentine's Day" and asked "*Asa mo gabii?*" (Where did you go last night?). She replied "*Sa balay*" (At home). To Joeylynn's surprise, he suddenly grabbed her right hand and kissed her on the cheek. She was so shocked that she could not react. Thereafter, Joeylynn left the chambers and cried.

From then on, Joeylynn avoided entering respondent's chambers, asking the court aide or legal researcher instead to bring in the case records even when respondent called for her. On March 23, 2001, upon her request, Joeylynn was detailed to Branch 16 of RTC Cebu City and eventually to the Office of the Clerk of Court.

Judge Caminade filed his comment on May 18, 2001 and reiterated his earlier defense that he was just being friendly to his staff. He admitted pressing Joeylynn's hand on several occasions but insisted that they were innocent gestures. On February 14, 2001, he merely greeted Joeylynn and kissed her on the cheek as it was Valentine's Day. He asserted that Joeylynn merely misinterpreted his actions towards her.

The two administrative complaints were consolidated and referred to then Associate Justice Conchita Carpio Morales^[1] of the Court of Appeals for investigation, report and recommendation.

In her report received by this Court on September 5, 2002, Justice Morales found Judge Caminade guilty of violating Canon 2 and Rule 2.01 of the Code of Judicial Conduct and Canon 3 of the Canons of Judicial Ethics and recommended that respondent be suspended for six months without pay.