

FIRST DIVISION

**[A.M. No. P-02-1562 (formerly, A.M. OCA IPI
No.00-968-P), September 11, 2003]**

**JUDGE ROMULO SG. VILLANUEVA, PRESIDING JUDGE OF THE
REGIONAL TRIAL COURT OF LIGAO, ALBAY, BRANCH 12,
COMPLAINANT, VS. CHARLIE C. LARCENA, UTILITY WORKER I OF
THE REGIONAL TRIAL COURT OF LIGAO, ALBAY, BRANCH 12,
RESPONDENT.**

D E C I S I O N

CARPIO, J.:

The Facts

Judge Romulo SG. Villanueva ("Judge Villanueva"), presiding judge of the Regional Trial Court of Branch 12, Ligao, Albay ("RTC-Branch 12"), issued a Memorandum dated 3 July 2000 to respondent Charlie Larcena ("Larcena"), a Utility Worker I of the court. The Memorandum stated that in the afternoon of 30 June 2000, a Friday, Larcena was not in the office during office hours in violation of a previous memorandum requiring the physical presence of employees in office premises during office hours. When Larcena returned to the office, he was "reeking (with) liquor" in violation of Civil Service Rules and Supreme Court regulations. The Memorandum required Larcena to explain within seventy-two hours why no administrative complaint should be filed against him.

In compliance with the Memorandum, Larcena explained that at around 3:30 p.m. of 30 June 2000, he left the office to take his "merienda." After 10 to 15 minutes, he went back to the office and continued cleaning the session hall, a work he regularly performed every afternoon. He further claimed that he did not take even a single shot of liquor that afternoon.

Atty. Wilfredo Gerardo T. Guerrero, Jr. and Domingo B. Uvero, Branch Clerk of Court and Court Interpreter III, respectively, of RTC-Branch 12, executed a Joint Affidavit dated 11 August 2000. In their Joint Affidavit, they stated that in the afternoon of 30 June 2000, they noticed that Larcena was nowhere within the immediate vicinity of their workstation. They stated further in their Joint Affidavit that at around 4 o'clock that afternoon, while they were at their workstation, Larcena arrived reeking with liquor. Upon inquiry, Larcena told them that he just had his snack somewhere.

In his 1st Indorsement dated 16 August 2000, Judge Villanueva forwarded the Memorandum, Joint Affidavit and explanation of Larcena to the Office of the Court Administrator ("OCA") for proper administrative sanction against Larcena, if warranted.

In this Court's Resolution dated 13 February 2002, we required the parties to

manifest if they were willing to submit this case based on the pleadings and records already filed and submitted. Judge Villanueva manifested that he was so submitting the case. Larcena did not file any manifestation despite receipt of this Court's Resolution. Hence, in the Resolution of 3 March 2003, we considered this case submitted for decision.

OCA Report and Recommendation

The OCA found that Larcena left the office in the afternoon of 30 June 2000 during office hours, and reeked with liquor when he came back to the office, also during office hours. The Joint Affidavit of the Branch Clerk and Court Interpreter established these acts of Larcena. There was no reason for these responsible court officials to accuse falsely Larcena. Thus, the OCA recommended the suspension of Larcena for three days without pay for violation of Civil Service Rules, with warning that a repetition of the same or similar acts in the future would warrant a more severe penalty.

The Court's Ruling

We adopt the OCA's findings of fact that Larcena left the office during office hours and returned to work reeking with liquor. Larcena did not refute this accusation except to make a bare denial. Larcena's bare denial cannot overcome the clear and categorical assertions of the Branch Clerk and Court Interpreter.

The men and women who work in the Judiciary must always act with propriety and decorum. Their actuations should embody prudence, restraint, courtesy and dignity. It is true that Larcena is a mere court aide or utility worker. However, Larcena's actuations still reflect adversely on the integrity and efficiency of the Judiciary. Leaving the office during office hours at his pleasure and returning to work reeking with liquor impair his efficiency as a court employee. Larcena's actuations also diminish the respect of the public for the men and women who work in the Judiciary. Thus, as held in **Basco v. Gregorio**:^[1]

The exacting standards of ethics and morality imposed upon court employees and judges are reflective of the premium placed on the image of the court of justice, and that image is necessarily mirrored in the conduct, official or otherwise, of the men and women who work thereat. It thus becomes the imperative and sacred duty of everyone charged with the dispensation of justice, from the judge to the lowliest clerk, to maintain the courts' good name and standing as true temples of justice. Circumscribed with the heavy burden of responsibility, their conduct at all times must not only be characterized with propriety and decorum, but above all else, must be above suspicion. Indeed, every employee of the Judiciary should be an example of integrity, probity, uprightness, honesty and diligence.

A public office is a public trust. The conduct of all those involved in the administration of justice – from the presiding judge to the lowliest utility worker – is circumscribed with the heavy burden of responsibility, accountability, integrity, uprightness and honesty.^[2] Improper behavior, particularly during office hours, exhibits not only paucity of professionalism at the workplace but also a great disrespect to the court itself. Such demeanor is a failure of circumspection