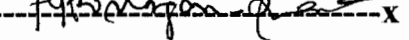


EN BANC

A.M. No. MTJ-10-1755 [Formerly OCA-IPI No. 08-2011-MTJ] – WILFREDO F. TUVILLO, Petitioner, v. HENRY E. LARON, Presiding Judge, Metropolitan Trial Court, Branch 65, Makati City, Respondent.

A.M. No. MTJ-10-1756 [Formerly OCA-IPI No. 08-2017-MTJ] – MICHELLE J. F. TUVILLO a.k.a. Michelle Jimenez, Petitioner, v. HENRY E. LARON, Presiding Judge, Metropolitan Trial Court, Branch 65, Makati City, Respondent.

Promulgated:  
October 18, 2016

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SEPARATE OPINION

LEONEN, J.:

A married judge who enters into an illicit relationship with a married woman commits conduct unbecoming of a judge. When their affair is flaunted in front of her young children, and his other woman is a party-litigant from whom he solicits money, the married judge defiles the integrity of the judiciary even further.

I concur with the ponencia's findings that respondent Judge Henry E. Laron is guilty of immorality and serious misconduct. However, looking into the odious conduct with which Judge Laron comported himself, I vote to impose the more severe penalty of his dismissal from service.

On December 17, 2004, Judge Henry E. Laron (Judge Laron) was appointed to Branch 65 of the Metropolitan Trial Court of Makati City.<sup>1</sup> He was concurrently Branch 66 Pairing Judge for the Pilot Project of the Small Claims Court.<sup>2</sup> Before the same metropolitan trial court, Melissa J. Tuvillo (Melissa) was charged with criminal cases<sup>3</sup> for violation of Batas Pambansa Blg. 22. The first two (2) informations were filed on May 27, 2005,<sup>4</sup> which were followed by two (2) more on September 15, 2005.<sup>5</sup>

<sup>1</sup> Masterlist of Incumbent Judges as of August 19, 2016 <[http://jbc.judiciary.gov.ph/masterlist/\\_MeTC.pdf](http://jbc.judiciary.gov.ph/masterlist/_MeTC.pdf)> (visited October 1, 2016).

<sup>2</sup> [http://jbc.judiciary.gov.ph/masterlist/\\_MeTC.pdf](http://jbc.judiciary.gov.ph/masterlist/_MeTC.pdf). The Small Claims-Pilot Project officially took effect on October 1, 2008. See Adm. Order No. 141-2008, Re: Designation of Pilot Courts for Small Claims Cases dated September 29, 2008, appointing Judge Laron as Pairing Judge for the Small Claims Pilot Court of Makati City, Branch 66.

<sup>3</sup> *Rollo* (A.M. No. MTJ-10-1755), pp. 66-67, 70-71; *rollo* (A.M. No. MTJ-10-1755), pp. 68-69.

<sup>4</sup> *Rollo* (A.M. No. MTJ-10-1755), pp. 66-67.

<sup>5</sup> *Id.* at 68-69.

On the third week of October 2005, Melissa was allegedly introduced to Judge Laron by a certain Fiscal Giorsioso, her godfather, as she needed help with the four (4) pending cases filed against her.<sup>6</sup> According to Melissa, Judge Laron promised to provide her assistance.<sup>7</sup>

On the second week of November 2005, Melissa visited Judge Laron in his office to follow up on these cases. He allegedly kissed her on the cheeks.<sup>8</sup> Taken aback, Melissa asked why he did that, and Judge Laron said it was simply *beso-beso*.<sup>9</sup> According to Melissa, the *beso-beso* became a regular habit of Judge Laron on her visits to his office.<sup>10</sup>

Judge Laron admitted that they were introduced sometime in November 2005<sup>11</sup> and that he knew of the bouncing checks cases filed against her.<sup>12</sup> At that time, Judge Laron was also aware that Melissa is married to Wilfredo F. Tuvillo (Wilfredo), who works as a seafarer.<sup>13</sup> Melissa and Wifredo have four (4) children.<sup>14</sup> Judge Tuvillo is likewise married and has three (3) sons.<sup>15</sup> His wife, Imelda B. Laron<sup>16</sup> (Imelda), was in the United States to attend to her ailing father.<sup>17</sup>

Melissa alleged that their affair began on November 28, 2005.<sup>18</sup> According to her, while in his office, Judge Laron asked her if she knows how to eat *hamon* (Christmas ham).<sup>19</sup> He then pulled her close, held her by her nape, and forced her<sup>20</sup> towards the front of his pants.<sup>21</sup> He unzipped his pants and made her suck his genital.<sup>22</sup> Later, he told her to lie on the table, where he “owned” her.<sup>23</sup> Judge Laron relieved himself without having to insert his whole genital into her hers.<sup>24</sup>

Melissa did not specify if the act complained of happened during office hours, or whether it happened after work was finished, when no one could possibly witness the scene.

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<sup>6</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 36, Complaint Affidavit.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 20, Comment.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 70, Imelda B. Laron Affidavit.

<sup>17</sup> *Rollo*, (A.M. No. MTJ-10-1755), p. 20.

<sup>18</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 36.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.* at 36–37. Melissa alleged that “bigla akong isinubsob” toward the front of his pants.

<sup>21</sup> *Id.* at 36–37.

<sup>22</sup> *Id.* at 37.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

In his defense, Judge Laron alleged that they merely shook hands and that he never promised to help her.<sup>25</sup> He claimed to have been busy conducting hearings on November 28, 2005, which was a Monday.<sup>26</sup> To back up his claims, he attached the affidavits of his staff.<sup>27</sup>

In their Joint Affidavit, Branch 65 Criminal Case In-Charge Amabelle C. Feraren and Court Aide Nelly A. Montealegre claimed that it was impossible for Judge Laron to have laid a hand on Melissa without anyone witnessing it.<sup>28</sup> All employees in the staff room were said to have access to Judge Laron's chamber at any given time,<sup>29</sup> as the fax machine, telephone, refrigerator, and coffee maker were inside his chamber.<sup>30</sup>

According to Branch 65 Court Stenographers Lylanie U. Cayetano<sup>31</sup> and Nelia B. Nanat,<sup>32</sup> Judge Laron's chamber was inside the staff room.<sup>33</sup> The door between the staff room and his chamber was allegedly always kept open for the employees to enjoy the cool air from his chamber.<sup>34</sup> The staff room may also get cool air from the adjacent court room,<sup>35</sup> which was cold as it had its own air-conditioning.<sup>36</sup>

Melissa alleged that the "unforgivable moments of [their] indecent affair"<sup>37</sup> continued on December 3, 2005, a Saturday, in Judge Laron's office, and then from December 15, 2005 to October 2007, where they checked in at Silver Place Hotel, located beside the new City Hall Building.<sup>38</sup> The new City Hall Building houses the Metropolitan Trial Court of Makati City.<sup>39</sup> According to Melissa, Judge Laron would sometimes sleep in the Tuvillos' conjugal house in Antipolo, and almost daily in her condo in Pasong Tamo, Makati City, from August 2007 to January 2008.<sup>40</sup>

For his part, Judge Laron admitted that his marriage to Imelda had "lessened [its] sheen" and that Imelda was distant to him.<sup>41</sup> Melissa "brought [him] a sense of soul connection, understanding and great company."<sup>42</sup> He stated that he reciprocated Melissa's affection to him.<sup>43</sup>

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<sup>25</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 58, Comment.

<sup>26</sup> *Id.*

<sup>27</sup> *Rollo* (A.M. No. MTJ-10-1756), pp. 68-69.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.* at 66-67.

<sup>30</sup> *Id.* at 66.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.* at 67.

<sup>33</sup> *Id.* at 66-67.

<sup>34</sup> *Id.* at 67.

<sup>35</sup> *Id.* at 68.

<sup>36</sup> *Id.*

<sup>37</sup> *Id.* at 37.

<sup>38</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 37.

<sup>39</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 58.

<sup>40</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 37.

<sup>41</sup> *Rollo* (Adm. Matter. No. , MTJ-10-1755), p. 20 and 21, Laron Comment to Wilfredo's Complaint.

<sup>42</sup> *Id.*

According to Socorro R. Divina (Divina), caretaker of the Tuvillo Family House in Antipolo, Judge Laron would come and sleep over in Antipolo on weekends.<sup>44</sup> Divina herself opened and closed the gate whenever Judge Laron would fetch Melissa and the children in the morning.<sup>45</sup> She would also see Judge Laron fetching the children back from school in the afternoon, sometimes using his own car, and on other times, using Melissa's car.<sup>46</sup>

Wilfredo and Melissa's sons, Renz Don Willie (14 years old) and Raphael Thom (13 years old) Tuvillo, corroborated Divina's statement.<sup>47</sup> They stated that Judge Laron would pick them up from home to school.<sup>48</sup> According to them, "Tito Henry Laron used to go to our house in Antipolo; [h]e slept in our house twice or thrice a week specially during weekends[.]"<sup>49</sup>

On one occasion, they saw their mother bruised and found out that Judge Laron inflicted the injury on her.<sup>50</sup> Judge Laron assailed the allegation of hitting Melissa as hearsay,<sup>51</sup> as the children did not mention seeing the incident or having personal knowledge of it.<sup>52</sup>

Melissa would receive a monthly allotment of US\$2,000.00 from Wilfredo, who works as Chief Officer/Chief Mate at sea.<sup>53</sup> He has been an Overseas Filipino Worker for more than 20 years.<sup>54</sup> Melissa claimed that in exchange for his help, Judge Laron asked her for money every month, and whenever he needed it.<sup>55</sup>

On April 10, 2006, Judge Laron ordered the dismissal of a civil case, *YL Finance Corp. v. Tuvillo, et al.*, with prejudice.<sup>56</sup> This was in lieu of the parties' Joint Motion to Dismiss.<sup>57</sup> The other cases remained pending against Melissa.

As regards Judge Laron's alleged extortion, Melissa cited that Judge

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<sup>43</sup> Id. at 21.

<sup>44</sup> Id. at 36, Affidavit of Socorro R. Divina.

<sup>45</sup> Id.

<sup>46</sup> Id.

<sup>47</sup> Id. at 34.

<sup>48</sup> Id.

<sup>49</sup> Id.

<sup>50</sup> Id.

<sup>51</sup> Id. at 56.

<sup>52</sup> Id.

<sup>53</sup> *Rollo* (A.M. No. MTJ-10-1756), pp. 43-45, Allotment Slip.

<sup>54</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 24, Complaint Affidavit.

<sup>55</sup> *Rollo* (A.M. No. MTJ-10-1756), pp. 36, Complaint Affidavit.

<sup>56</sup> Id. at 50A, Order.

<sup>57</sup> Id.

Laron asked her for money to treat his office staff on his birthday on July 3, 2006.<sup>58</sup> Melissa paid a total of ₱25,000.00 for this birthday treat at Firewood, Mandaluyong.<sup>59</sup> Another time, when he went to Canada for a study grant on the second week of March 2007, he solicited US\$2,000.00 from her as pocket money.<sup>60</sup> Melissa likewise advanced the payment for his executive check up in June 2007 at St. Luke's Hospital.<sup>61</sup> Judge Laron again asked her for allowance when he attended a seminar in Baguio City on November 13 to 16, 2007, and she gave him US\$700.00.<sup>62</sup>

Melissa alleged that she had to sell their house and lot in Taguig and two (2) vehicles, a Pajero and a Honda CR-V, to satisfy Judge Laron's financial pleas.<sup>63</sup> She presented a Bank of Philippine Islands deposit slip for US\$200.00 addressed to one "Henry E. Laron," dated February 1, 2008.<sup>64</sup>

Judge Laron allegedly became uncontrollable and would hurt Melissa when she refused to give him money.<sup>65</sup> According to Melissa, Judge Laron threatened to divulge their relationship to Wilfredo.<sup>66</sup> Thus, she "was forced to follow all his caprices with . . . closed eyes[.]"<sup>67</sup>

Judge Laron gave bare denials.<sup>68</sup> He claimed that he never received these amounts from Melissa, nor did she give him money on such occasions.<sup>69</sup> He added that Melissa never attached any sworn medical certificate to prove that she sustained an injury.<sup>70</sup> Judge Laron also alleged that he did not blackmail her.<sup>71</sup>

Judge Laron claimed that he "always [slept] with [his] wife in [their] house."<sup>72</sup> He attached his wife's affidavit to support this.<sup>73</sup> Imelda, however, had been in the United States to look after her ailing father.<sup>74</sup> Neither she nor Judge Laron mentioned when she actually came back home and slept with him.

Sometime in May 2007, more than one (1) year since the start of their

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<sup>58</sup> Id. at 37.

<sup>59</sup> Id.

<sup>60</sup> Id.

<sup>61</sup> Id.

<sup>62</sup> Id.

<sup>63</sup> Id. at 38.

<sup>64</sup> Id. at 50, Deposit Slip.

<sup>65</sup> Id. at 37.

<sup>66</sup> Id.

<sup>67</sup> Id.

<sup>68</sup> Id. at 59, Comment.

<sup>69</sup> Id. at 59-60, Comment.

<sup>70</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 56, Comment.

<sup>71</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 60, Comment.

<sup>72</sup> Id. at 59.

<sup>73</sup> Id. at 70-71.

<sup>74</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 20, Comment.

extramarital affair, Melissa allegedly told Judge Laron that Wilfredo died of illness in China.<sup>75</sup> To support his allegation, Judge Laron presented the affidavits of Branch Clerk of Court Romualdo I. Balancio<sup>76</sup> and Clerk III Jeffrey C. Bat-og<sup>77</sup> of Branch 67 of the Municipal Trial Court of Makati City. Melissa questioned their affidavits for being “unbelievable and unreliable because of the enormous influence and authority over them by respondent Laron.”<sup>78</sup>

Wilfredo averred that Judge Laron’s alibi “was a big lie, because on the [third] week of May 2007, [Judge Laron] visited [the Tuvillo Family] house in Antipolo at the early time of the day[.]”<sup>79</sup> Judge Laron allegedly told Wilfredo of his meeting with an attorney in Ynares Stadium, Antipolo, Rizal.<sup>80</sup> A purported record from the Bureau of Immigration, which Judge Laron himself attached and relied on,<sup>81</sup> showed that Wilfredo was indeed in the Philippines on the third week of May 2007, specifically: from May 17, 2007 to June 9, 2007.<sup>82</sup>

On September 18, 2007, two (2) more criminal cases for violation of Batas Pambansa Blg. 22 were filed against Melissa. Prosecutor III George V. De Joy impleaded Melissa’s husband, Wilfredo.<sup>83</sup>

On October 23, 2007, Presiding Judge Rico Sebastian D. Liwanag of Branch 67 of the Metropolitan Trial Court of Makati City provisionally dismissed the first two (2) cases of bouncing checks against Melissa.<sup>84</sup>

Imelda learned of her husband’s affair in January 2008<sup>85</sup> after she overheard a telephone conversation between Judge Laron and Melissa.<sup>86</sup> Judge Laron then confessed the affair to his wife and vowed to mend his ways.<sup>87</sup> Their three (3) sons, aged 18, 17, and 15, also found out about his indiscretion.<sup>88</sup> Judge Laron acknowledged that his family was hurt.<sup>89</sup>

On April 16, 2008, one Atty. Jun Laguilles<sup>90</sup> (Atty. Laguilles) came with Melissa to see Judge Laron in his chamber. Atty. Laguilles is the

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<sup>75</sup>

Id.

<sup>76</sup>

Id. at 73–74.

<sup>77</sup>

Id. at 72.

<sup>78</sup>*Rollo* (A.M. No. MTJ-10-1755), p. 96.<sup>79</sup>*Rollo* (A.M. No. MTJ-10-1756), p. 77.<sup>80</sup>

Id.

<sup>81</sup>

Id. at 62, Comment.

<sup>82</sup>

Id. at 75, Travel Information of Wilfredo F. Tuvillo.

<sup>83</sup>*Rollo* (A.M. No. MTJ-10-1755), pp. 70–71, Informations for Violation of Batas Pambansa Blg. 22.<sup>84</sup>*Rollo* (A.M. No. MTJ-10-1756), p. 51.<sup>85</sup>*Rollo* (A.M. No. MTJ-10-1755), p. 21.<sup>86</sup>*Rollo* (A.M. No. MTJ-10-1756), p. 70.<sup>87</sup>*Rollo* (A.M. No. MTJ-10-1755), p. 21.<sup>88</sup>

Id.

<sup>89</sup>

Id.

<sup>90</sup>*Rollo* (A.M. No. MTJ-10-1756), p. 37.

husband<sup>91</sup> of Former Makati City Regional Trial Court Judge Zenaida T. Galapate-Laguilles. He allegedly sought to settle the differences between Melissa and Judge Laron.<sup>92</sup> Melissa averred that Judge Laron cursed at her and ordered to have her sent out of his office.<sup>93</sup> Melissa also cursed and shouted at Judge Laron.<sup>94</sup> She demanded that he return all the money he took from her.<sup>95</sup> He said he would, to which she replied that he include everything he received from her, even his underwear.<sup>96</sup> Atty. Laguilles helped Melissa out of Judge Laron's chamber.<sup>97</sup>

In May 2008, Wilfredo arrived from abroad.<sup>98</sup> The children reported to their father what happened at home: "Tito Henry" would sleep in the Antipolo home, especially on weekends, and he physically hurt their mother.<sup>99</sup>

Wilfredo filed a case for adultery against Judge Laron and Melissa. The Makati City Prosecution Office later dismissed it for lack of probable cause (for failure to establish all the elements of the crime).<sup>100</sup> This was affirmed by the Department of Justice.<sup>101</sup>

On May 23, 2008, Melissa entered into the police blotter Judge Laron's alleged threats on her life. According to her, Judge Laron told her, "*ipapayari kita o kaya ipapatumba nalang kita.*"<sup>102</sup>

Judge Laron admitted the existence of their extramarital relationship.<sup>103</sup> However, he denied that he ever asked money,<sup>104</sup> committed violence against her, or violated her marital union and family unity.<sup>105</sup>

Wilfredo maintained that Judge Laron "capitaliz[ed] and abus[ed] the innocence, trust and confidence of [Melissa]."<sup>106</sup> Judge Laron's extortion allegedly led to the depletion of all their savings, including their houses and lots.<sup>107</sup> He called Judge Laron "a hoodlum in robes who should be removed from the judiciary before he can commit more atrocities."<sup>108</sup>

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<sup>91</sup> Id.

<sup>92</sup> Id.

<sup>93</sup> Id.

<sup>94</sup> Id.

<sup>95</sup> Id.

<sup>96</sup> Id.

<sup>97</sup> Id. at 72.

<sup>98</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 34.

<sup>99</sup> Id.

<sup>100</sup> Id. at 95-98.

<sup>101</sup> Id. at 99-100.

<sup>102</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 18, Police Blotter Certification.

<sup>103</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 21.

<sup>104</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 59.

<sup>105</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 52.

<sup>106</sup> Id. at 24.

<sup>107</sup> Id. at 25.

<sup>108</sup> Id.

## I

*Regir v. Regir*<sup>109</sup> has defined immorality as:

[I]mmorality is not based alone on illicit sexual intercourse. It is not confined to sexual matters, but *includes conducts inconsistent with rectitude*, or indicative of corruption, *indecenty, depravity*, and dissoluteness; or is willful, *flagrant or shameless conduct showing moral indifference* to opinions of respectable members of the community, and an inconsiderate attitude toward good order and public welfare<sup>110</sup> (Emphasis supplied)

Rule 140, Section 8(8) of the Rules of Court, as amended by A.M. No. 01-8-10-SC,<sup>111</sup> classifies immorality as a serious charge.<sup>112</sup> As penalty, Section 11(A)(1) allows for the imposition of dismissal from service, forfeiture of all benefits except accrued leave credits, and disqualification from holding any public office, including those in government-owned or controlled corporations.<sup>113</sup>

In *Perfecto v. Judge Esidera*,<sup>114</sup> we have ruled that lawyers and judges are bound to uphold secular morality, not religious morality.<sup>115</sup> We look past religious doctrine and determine what is good or right based on shared community standards and values:

This court may not sit as judge of what is moral according to a particular religion. We do not have jurisdiction over and is not the proper authority to determine which conduct contradicts religious doctrine. We have jurisdiction over matters of morality only insofar as it involves conduct that affects the public or its interest.

Thus, for purposes of determining administrative liability of lawyers and judges, “immoral conduct” should relate to their conduct as officers of the court. To be guilty of “immorality” under the Code of Professional Responsibility, a lawyer’s conduct must be so depraved as to

<sup>109</sup> 612 Phil. 771 (2009) [Per J. Leonardo-De Castro, First Division].

<sup>110</sup> Id. at 779.

<sup>111</sup> Proposed Amendment to Rule 140 of the Rules of Court Re Discipline of Justices and Judges (2001).

<sup>112</sup> A.M. No. 01-8-10-SC, sec. 8 provides:

SECTION 8. Serious charges. — Serious charges include. . . [i]mmorality[.]

<sup>113</sup> A.M. No. 01-8-10-SC, sec.11(A)(1) provides:

Section 11. Sanctions.

A. If the respondent is guilty of a serious charge, any of the following sanctions may be imposed:

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[.]

<sup>114</sup> A.M. No. RTJ-15-2417, July 22, 2015  
<<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2015/july2015/RTJ-15-2417.pdf>>  
[Per J. Leonen, Second Division].

<sup>115</sup> Id. at 8.



reduce the public's confidence in the Rule of Law.<sup>116</sup>

Guided by this standard, I find Judge Laron's actions to be indicative of his moral indifference and questionable integrity, amounting to immorality.

Although it may be true that they were lonely people<sup>117</sup> who reciprocated each other's affections,<sup>118</sup> it is also true that Melissa was desperate to wriggle out of the criminal cases that had strangled her.<sup>119</sup> It is likewise true that both of them are married,<sup>120</sup> and their extramarital relationship was not kept hidden, especially from Melissa's children.<sup>121</sup>

That Melissa first approached or sought Judge Laron<sup>122</sup> is immaterial as a defense. Judge Laron knew that she was in dire need, and he took advantage of her weaknesses. He was in a position of power: unlike Melissa, he has legal expertise, and he was not facing a string of criminal cases. He is a judge of the Metropolitan Trial Court of Makati City, before which she was charged.

Judge Laron claims to have been fooled of Wilfredo's alleged death in 2007. This does not convince. Judge Laron himself has shown that he is capable of acquiring Wilfredo's 2006–2008 travel information from the Bureau of Immigration.<sup>123</sup>

Even if Judge Laron believed Wilfredo's death to be true, it still does not exonerate him. His attempts to dangle a red herring must fail. Judge Laron entered into a relationship with Melissa beginning in 2005.<sup>124</sup> At that time, he was fully aware that her husband was simply at sea, alive and working.<sup>125</sup>

As the affair broke down, Judge Laron now paints himself as victim of Melissa's calls and text messages, as well as threats to embarrass him and cause his dismissal from service.<sup>126</sup> He attempts to soften the impact of his actions by stating that they were "mature people"<sup>127</sup> when they entered into the extramarital affair. However, when it comes to facing the consequences,

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<sup>116</sup> Id. at 9.

<sup>117</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 20.

<sup>118</sup> Id. at 21.

<sup>119</sup> Id. at 24.

<sup>120</sup> Id. at 20.

<sup>121</sup> Id. at 34.

<sup>122</sup> Id. at 59.

<sup>123</sup> Id. at 75.

<sup>124</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 36.

<sup>125</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 20.

<sup>126</sup> Id. at 21–22.

<sup>127</sup> Id. at 20.

Judge Laron bails out and blames Melissa for allegedly hurting his wife and children with her news of the affair.<sup>128</sup>

Maturity does not consist of welcoming a mistress' affections<sup>129</sup> but rejecting the repercussions when things go sideways. Judge Laron cannot lay the blame on Melissa, especially when he himself was a kept man of a married woman.

In any case, it is Judge Laron's private acts that are under scrutiny, not Melissa's. Judge Laron states that his extramarital affair "[was] a personal matter and d[id] not affect [his] professional responsibilities as a judge and as a lawyer."<sup>130</sup> This is a tall tale.

In *Perez v. Catindig*,<sup>131</sup> we disbarred a lawyer who had an extramarital affair with another woman. Although his second marriage with the other woman was void, we have stated that the lawyer "definitely manifest[ed] a deliberate disregard of the sanctity of marriage and the marital vows protected by the Constitution and affirmed by our laws. . . . He exhibited a deplorable lack of that degree of morality required of him as a member of the bar[.]"<sup>132</sup>

In *Leynes v. Judge Veloso*,<sup>133</sup> this Court ruled that "[i]f good moral character is required of a lawyer, with more reason that requirement should be exacted of a member of the judiciary who at all times is expected to observe irreproachable behavior and is bound not to outrage public decency."<sup>134</sup>

In *Castillo v. Judge Calanog Jr.*:<sup>135</sup>

The Code of Judicial Ethics mandates that the conduct of a judge must be free of a whiff of impropriety not only with respect to his performance of his judicial duties, but also to his behavior outside his sala and as a private individual. There is no dichotomy of morality: a public official is also judged by his private morals. The Code dictates that a judge, in order to promote public confidence in the integrity and impartiality of the judiciary, must behave with propriety at all times. As we have very recently explained, *a judge's official life can not simply be*

<sup>128</sup> Id. at 21.

<sup>129</sup> Id.

<sup>130</sup> Id. at 22.

<sup>131</sup> A.C. No. 5816, March 10, 2015  
<<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2015/march2015/5816.pdf>> [Per Curiam, En Banc].

<sup>132</sup> Id. at 10.

<sup>133</sup> 172 Phil. 312 (1978) [Per J. Aquino, En Banc].

<sup>134</sup> Id. at 315.

<sup>135</sup> 276 Phil. 70 (1991) [Per Curiam, En Banc].

*detached or separated from his personal existence.*<sup>136</sup> (Emphasis supplied)

Anyone applying for the judiciary is expected to have a thorough understanding of community standards and values. No one forced Judge Laron to become a judge. When he became a judge, he agreed to abide by the Code of Conduct for members of the Philippine Judiciary.

Canon 2 of the New Code of Judicial Conduct for the Philippine Judiciary<sup>137</sup> provides:

CANON 2  
Integrity


Integrity is essential not only to the proper discharge of the judicial office but also to the personal demeanor of judges.

SECTION 1. Judges shall ensure that not only is their conduct above reproach, but that it is perceived to be so in the view of a reasonable observer.

SECTION 2. The behavior and conduct of judges must reaffirm the people's faith in the integrity of the judiciary[.]

Judges decide not only on matters of law, but also of equity. They determine what is right and wrong in the cases before them. A judge should, therefore, be able to walk the talk. He or she should be and appear to be a person with integrity and credibility. In *Dia-Añonuevo v. Judge Bercacio*:<sup>138</sup>

Although every office in the government service is a public trust[,] no position exacts a greater demand on moral righteousness and uprightness of an individual than a seat in the Judiciary. A magistrate of the law must comport himself at all times in such a manner that his conduct[,] official or otherwise[,] can bear the most searching scrutiny of the public that looks up to him as the epitome of integrity and justice.<sup>139</sup>

Judge Laron's words and actions reflect on the judiciary as a whole. He is expected to avoid conflicts of interest and instances where the morality and legality of his actions are cast in a bad light. Judge Laron cannot simply accept the perks of his position but shy away from the discomfort and responsibilities involved. He should embrace both the boons and banes of the job, which he willingly entered into. In *Castillo v. Judge Calanog, Jr.*:<sup>140</sup> 

<sup>136</sup> Id. at 81.

<sup>137</sup> A.M. No. 03-05-01-SC (2004).

<sup>138</sup> 160-A Phil. 731 (1975) [Per J. Muñoz-Palma, En Banc].

<sup>139</sup> Id. at 739.

<sup>140</sup> 276 Phil. 70 (1991) [Per Curiam, En Banc].

Being the subject of constant public scrutiny, a judge should freely and willingly accept restrictions on conduct that might be viewed as burdensome by the ordinary citizen.

A judge should personify judicial integrity and exemplify honest public service. The personal behavior of a judge, both in the performance of official duties and in private life should be above suspicion.<sup>141</sup>

In that case, this Court dismissed a judge who had a mistress, with whom he bore a child, for immorality. This Court held the dismissal to be “with prejudice to his reinstatement or appointment to any public office including a government-owned or controlled corporation, and forfeiture of retirement benefits, if any.”<sup>142</sup> Thus:

Judge Calanog has behaved in a manner not becoming of his robes and as a model of rectitude, betrayed the people's high expectations, and diminished the esteem in which they hold the judiciary in general.

It is of no import that the evidence on record is not sufficient to prove beyond reasonable doubt the facts of concubinage having indeed existed and been committed. This is not a criminal case for concubinage but an administrative matter that invokes the power of supervision of this Court over the members of the judiciary.

The circumstances show a lack of circumspection and *delicadeza* on the part of the respondent judge by failing to avoid situations that make him suspect to committing immorality and worse, having that suspicion confirmed.<sup>143</sup>

Under Section 1 of Canon 4, judges have the duty to “avoid impropriety and the appearance of impropriety in all of their activities.”

According to Judge Laron, he and Melissa “tried [their] best to be discreet and sensitive to the sensibilities of those around [them].”<sup>144</sup> This is not true. Judge Laron and Melissa were together for three (3) years.<sup>145</sup> He did not even attempt to hide it from Melissa’s minor children<sup>146</sup> and her family’s caretaker.<sup>147</sup>

The response of the court employees is even more telling. On April 16, 2008, when Melissa came to Judge Laron’s chamber, none of them

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<sup>141</sup> Id. at 81–82.

<sup>142</sup> Id. at 83.

<sup>143</sup> Id. at 80.

<sup>144</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 21.

<sup>145</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 11.

<sup>146</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 34.

<sup>147</sup> Id. at 36.

intervened when she began shouting at the judge<sup>148</sup> and demanding that he return all the money and things he received from her.<sup>149</sup> The eight (8)<sup>150</sup> court employees who witnessed the scene only stood by to watch<sup>151</sup> as the former lovers quarreled.<sup>152</sup> Melissa shouted that she would file a case against Judge Laron, who retorted, “my wife will also sue you.”<sup>153</sup> Only Atty. Laguilles, who came with Melissa to mediate between her and Judge Laron,<sup>154</sup> stepped in and helped her out of the door.<sup>155</sup>

Judge Laron willingly consented to their extramarital relationship. He did not keep it between only the two of them. Divina<sup>156</sup> and the Tuvillo children<sup>157</sup> certainly knew. There are good reasons to suppose that Atty. Laguilles<sup>158</sup> and his wife<sup>159</sup> were likewise aware of the relationship. The court employees,<sup>160</sup> who simply looked on as Melissa and Judge Laron argued about returning her money and his underwear, could also have suspected about them, to say the least.

While Wilfredo was busy providing for his family, Judge Laron usurped Wilfredo’s role as husband and father, sleeping in their house, driving for Melissa, and picking up her children from school.<sup>161</sup> Judge Laron is well-known to the Tuvillo children. They even fondly called him “Tito Henry.”<sup>162</sup>

Thus, one cannot imagine the shock of Wilfredo, who, for more than 20 years,<sup>163</sup> worked away on board a ship—battling against homesickness, the perils of sea, and the emotional strain caused by his physical separation from his family—only to come home and find out that another man was enjoying his wife and the money he sent. Wilfredo’s children themselves broke the news to him.<sup>164</sup> They found out about Judge Laron’s trysts with their mother, as Judge Laron did not mind flaunting their relationship in front of Wilfredo’s children.<sup>165</sup>

*In Re: Complaint of Mrs. Marcos and children against Judge*

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<sup>148</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 72.

<sup>149</sup> *Id.* at 37.

<sup>150</sup> *Id.* at 72–73.

<sup>151</sup> *Id.* at 60.

<sup>152</sup> *Id.* at 61.

<sup>153</sup> *Id.* at 73.

<sup>154</sup> *Id.* at 37.

<sup>155</sup> *Id.* at 72–73.

<sup>156</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 36.

<sup>157</sup> *Id.* at 34.

<sup>158</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 37.

<sup>159</sup> *Id.*

<sup>160</sup> *Id.* at 72.

<sup>161</sup> *Rollo* (A.M. No. MTJ-10-1755), p. 34.

<sup>162</sup> *Id.*

<sup>163</sup> *Id.*

<sup>164</sup> *Id.*

<sup>165</sup> *Id.*

*Marcos*,<sup>166</sup> this Court dismissed from service a judge who flaunted his other woman as though she were his wife. It did not matter that the judge had been physically separated from his wife for three (3) years, or that he had no children with his mistress. His public display of the illicit relationship constituted a conduct “unbecoming of a judge[,] whose conduct must at all times be beyond reproach.”<sup>167</sup>

Judge Laron entered into an extramarital affair with Melissa, a hapless litigant who faced a series of cases. His seduction led to a three-year relationship where Judge Laron exchanged his help for her money, and their relationship injured persons other than the two of them.

Judge Laron’s indiscretion hurt not only his family<sup>168</sup> but also Melissa’s husband who, after discovering their affair, sued his wife and the judge for adultery.<sup>169</sup> The judge, a powerful figure in the legal circle, also publicly threatened Melissa that Imelda, his wife, would sue her.<sup>170</sup> The scandal in his chamber, in front of a private lawyer as well as court staff and employees, dragged down the dignity of his office.

Under Section 2 of Canon 4, “judges shall conduct themselves in a way that is consistent with the dignity of the judicial office.”

Judge Laron’s extramarital affair, his public display of his also-married “other” woman, and the damage his indiscretion caused not just to other people but also to the dignity of the office he serves, certainly reek of immorality. His actions exhibit indecency, lack of integrity, depravity, and moral indifference to community standards and values.<sup>171</sup>

For transgressing public morals and defiling the image of the judiciary, he must be stripped of his judicial robe and dismissed from service.

## II

Section 8(3), in relation to Section 11(A)(1)<sup>172</sup> of Rule 140 of the

<sup>166</sup> 413 Phil. 65 (2001) [Per Curiam, En Banc].

<sup>167</sup> Id. at 92.

<sup>168</sup> *Rollo* (A.M. No. MTJ-10-1756), p. 21.

<sup>169</sup> Id. at 95–98.

<sup>170</sup> Id. at 72.

<sup>171</sup> *Regir v. Regir*, 612 Phil. 771, 779 (2009) [Per J. Leonardo-De Castro, First Division].

<sup>172</sup> RULES OF COURT, Rule 140, sec. 11(A)(1) provides:

SECTION 11. Sanctions.

A. If the respondent is guilty of a serious charge, any of the following sanctions may be imposed:

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

Rules of Court, further supports Judge's Laron's dismissal from service. [G]ross misconduct constituting violations of the Code of Judicial Conduct<sup>173</sup> is a serious charge allowing for a judge's removal from service.<sup>174</sup>

In *Sison-Barias v. Judge Rubia*,<sup>175</sup> we dismissed a judge who privately met with a litigant at a restaurant and advised her to speak with the other party's counsel. We have ruled that this act violated Canons 1 (Independence), 2 (Integrity), 3 (Impartiality), and 4 (Propriety).<sup>176</sup>

Similarly, Judge Laron violated the same provisions of the New Code of Judicial Conduct for the Philippine Judiciary:

#### CANON 1 INDEPENDENCE

Judicial independence is a pre-requisite to the rule of law and a fundamental guarantee of a fair trial. A judge shall therefore uphold and exemplify judicial independence in both its individual and institutional aspects.

SECTION 1. Judges shall exercise the judicial function independently on the basis of their assessment of the facts and in accordance with a conscientious understanding of the law, free of any extraneous influence, inducement, pressure, threat or interference, direct or indirect, from any quarter or for any reason.

....

SECTION 3. Judges shall refrain from influencing in any manner the outcome of litigation or dispute pending before another court or administrative agency.

SECTION 4. Judges shall not allow family, social, or other relationships to influence judicial conduct or judgment. The prestige of judicial office shall not be used or lent to advance the private interests of others, nor convey or permit others to convey the impression that they are in a special position to influence the judge.

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or controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits[.]

<sup>173</sup> RULES OF COURT, Rule 140, sec. 8(3) provides:

SECTION 8. Serious charges. — Serious charges include:

....

3. Gross misconduct constituting violations of the Code of Judicial Conduct[.]

<sup>174</sup> RULES OF COURT, Rule 140, sec. 11(A)(1) provides:

SECTION 11. Sanctions.

A. If the respondent is guilty of a serious charge, any of the following sanctions may be imposed:

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[.]

<sup>175</sup> A.M. No. RTJ-14-2388, June 10, 2014, 726 SCRA 94 [Per Curiam, En Banc].

<sup>176</sup> *Id.* at 139.

....  
SECTION 6. Judges shall be independent in relation to society in general and in relation to the particular parties to a dispute which he or she has to adjudicate.

SECTION 7. Judges shall encourage and uphold safeguards for the discharge of judicial duties in order to maintain and enhance the institutional and operational independence of the judiciary.

SECTION 8. Judges shall exhibit and promote high standards of judicial conduct in order to reinforce public confidence in the judiciary, which is fundamental to the maintenance of judicial independence.

CANON 2  
Integrity

Integrity is essential not only to the proper discharge of the judicial office but also to the personal demeanor of judges.

SECTION 1. Judges shall ensure that not only is their conduct above reproach, but that it is perceived to be so in the view of a reasonable observer.

SECTION 2. The behavior and conduct of judges must reaffirm the people's faith in the integrity of the judiciary.

CANON 3  
Impartiality

Impartiality is essential to the proper discharge of the judicial office. It applies not only to the decision itself but also to the process by which the decision is to be made.

SECTION 1. Judges shall perform their duties without favor, bias or prejudice.

SECTION 2. Judges shall ensure that his or her conduct, both in and out of court, maintains and enhances the confidence of the public, the legal profession and litigants in the impartiality of the judge and the judiciary.

SECTION 3. Judges shall, so far as is reasonable, so conduct themselves as to minimize the occasions on which it will be necessary for them to be disqualified from hearing or deciding cases.

....

CANON 4  
Propriety

Propriety and the appearance of propriety are essential to the performance of all the activities of a judge.

SECTION 1. Judges shall avoid impropriety and the appearance of impropriety in all of their activities.





SECTION 2. As a subject of constant public scrutiny, judges must accept personal restrictions that might be viewed as burdensome by the ordinary citizen and should do so freely and willingly. In particular, judges shall conduct themselves in a way that is consistent with the dignity of the judicial office.

SECTION 3. Judges shall, in their personal relations with individual members of the legal profession who practice regularly in their court, avoid situations which might reasonably give rise to the suspicion or appearance of favoritism or partiality.

In *Gacayan v. Judge Pamintuan*,<sup>177</sup> this Court ruled that it is improper for a judge to have a private meeting with the accused, especially “in the seclusion of his [or her] chambers,” without the presence of the complainant.<sup>178</sup>

Judge Laron first met Melissa, who was criminally charged with violation of Batas Pambansa Blg. 22, inside his chamber, without the presence of the offended parties. They became lovers, and their meetings extended to more private spaces.

For a judge, having a close friendship with the litigant is to be avoided at all costs. With more reasons should a romantic relationship with one be shunned as this destroys the litigants’ confidence in the “judge’s impartiality and[,] eventually, undermine the people’s faith in the administration of justice.”<sup>179</sup>

Judge Laron, as the judge in a case against Melissa, dismissed that case with prejudice upon motion by the parties.<sup>180</sup> Another judge in the Makati City Metropolitan Trial Court likewise provisionally dismissed Melissa’s two other cases.<sup>181</sup> It is not farfetched to conclude that Judge Laron provided assistance to his former lover in the cases pending before him and another judge. These incidents cannot be said to be above suspicion, or otherwise entirely free from the appearance of impropriety.

In *Re: Allegations Made Under Oath at the Senate Blue Ribbon Committee Hearing Held on September 26, 2013 Against Associate Justice Gregory S. Ong, Sandiganbayan*,<sup>182</sup> we found a Sandiganbayan Justice and Chairperson of the Fourth Division liable for impropriety for visiting and socializing with a litigant, Janet Lim-Napoles (Napoles), whom his Division

<sup>177</sup> 373 Phil. 460 (1999) [Per Ynares-Santiago, First Division].

<sup>178</sup> *Id.* at 477.

<sup>179</sup> *Santos v. Lacurom*, 531 Phil. 239, 252 (2006) [Per J. Carpio, Third Division].

<sup>180</sup> *Rollo*, (A.M. No. MTJ-10-1756), p. 50A.

<sup>181</sup> *Id.* at 51.

<sup>182</sup> A.M. No. SB-14-21-J, September 23, 2014, 736 SCRA 12 [Per Curiam, En Banc].

acquitted. Sandiganbayan Justice Gregory S. Ong was relieved from service.<sup>183</sup>

Fraternizing with litigants taints a judge's appearance of impartiality.<sup>184</sup> Canon 1, Section 3 states that "[j]udges shall refrain from influencing in any manner the outcome of litigation or dispute pending before another court or administrative agency." In *Rallos v. Judge Gako Jr.*:<sup>185</sup>

Well-known is the judicial norm that judges should not only be impartial but should also appear impartial. Jurisprudence repeatedly teaches that litigants are entitled to nothing less than the cold neutrality of an impartial judge. . . . Judges must not only render just, correct and impartial decisions, but must do so in a manner free of any suspicion as to their fairness, impartiality and integrity.

*This reminder applies all the more sternly to municipal, metropolitan and regional trial court judges like herein respondent, because they are judicial front-liners who have direct contact with the litigating parties. They are the intermediaries between conflicting interests and the embodiments of the people's sense of justice. Thus, their official conduct should be beyond reproach.*<sup>186</sup> (Emphasis supplied)

In *Garcia v. Judge Burgos*:<sup>187</sup>

We deem it important to point out that a judge must preserve the trust and faith reposed in him by the parties as an impartial and objective administrator of justice. When he exhibits actions that give rise fairly or unfairly, to perceptions of bias, such faith and confidence are eroded[.]<sup>188</sup>

Likewise, Judge Laron's asking for money from a litigant constitutes gross misconduct. In *Sison Jr. v. Camacho*,<sup>189</sup> we disbarred a lawyer for failing to account for the funds he solicited as payment for additional docket fees. We have ruled that "[t]hose in the legal profession must always conduct themselves with honesty and integrity in all their dealings."<sup>190</sup>

According to Melissa, Judge Laron would solicit money from her to pay for his medicines, executive check-up, regular visits to the doctor, cell

<sup>183</sup> Id. at 100–101.

<sup>184</sup> *Gacayan v. Judge Pamintuan*, 373 Phil. 460, 477 (1999) [Per Ynares-Santiago, First Division].

<sup>185</sup> 85 Phil. 4 (2000) [Per J. Panganiban, Third Division].

<sup>186</sup> Id. at 20.

<sup>187</sup> 353 Phil. 740 (1998) [First Division, Per J. Panganiban].

<sup>188</sup> Id. at 771.

<sup>189</sup> A.C. No. 10910, January 12, 2016  
<<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2016/january2016/10910.pdf>>  
[Per Curiam, En Banc].

<sup>190</sup> Id. at 5.

phone load, gasoline expenses, and monthly groceries, among other things.<sup>191</sup> A US\$200.00 deposit to the account of “Henry E. Laron”<sup>192</sup> supports the claim of solicitation. There is no indication that the money was ever returned or refused.

In *Galang v. Judge Santos*,<sup>193</sup> a judge’s personal actions, whether in the bench or in his daily life, should be beyond reproach and free from the manifestations of impropriety.<sup>194</sup>

In *In Re: Solicitation of Judge Virrey*,<sup>195</sup> this Court dismissed from service a judge who solicited “donations” for the repair of his office and for his personal travel expenses. This Court has held that such irresponsible and improper conduct erodes the public’s faith in the judiciary.<sup>196</sup> These acts clearly violate the judge’s duties of integrity, independence, and propriety.<sup>197</sup>

In *Quiz v. Judge Castaño*,<sup>198</sup> this Court dismissed from service a judge who attempted to extort money from a litigant. The judge visited the litigant in the place he stayed in, met with him at an eatery, and pocketed a sum of money from him. This Court acknowledged that, under the prevailing circumstances, it could not simply give the errant judge a slap on the wrist.<sup>199</sup>

We ruled similarly in *Re: Allegations Against Justice Ong* and dismissed the Sandiganbayan Justice for gross misconduct. We held that the Sandiganbayan Justice’s acts of consenting to be Napoles’ contact at the Sandiganbayan, “fixing” the criminal case in her favor, and accepting money and favors from her “constitute gross misconduct, a violation of the New Code of Judicial Conduct for the Philippine Judiciary.”<sup>200</sup>

**ACCORDINGLY**, I vote to find respondent Judge Henry E. Laron **GUILTY** of immorality and gross misconduct. Respondent Judge Henry E. Laron should be **DISMISSED** from the service with forfeiture of all retirement benefits except accrued leave credits, with perpetual disqualification from re-employment in any government agency, including government-owned and controlled corporations.

<sup>191</sup> *Rollo* (A.M. No. MTJ-10-1756,), p. 3.

<sup>192</sup> *Id.* at 50.

<sup>193</sup> 367 Phil. 81 (1999) [Per Curiam, En Banc].

<sup>194</sup> *Id.* at 89.

<sup>195</sup> 279 Phil. 688 (1991) [Per Curiam, En Banc].

<sup>196</sup> *Id.* at 694.


<sup>197</sup> *Id.*

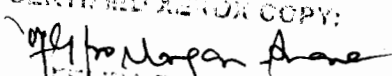
<sup>198</sup> 194 Phil. 187 (1981) [Per J. Teehankee, En Banc].

<sup>199</sup> *Id.* at 196.

<sup>200</sup> *Re: Allegations Made Under Oath at the Senate Blue Ribbon Committee Hearing Held on September 26, 2013 Against Associate Justice Gregory S. Ong, Sandiganbayan*, A.M. No. SB-14-21-J, September 23, 2014, 736 SCRA 12, 80 [Per Curiam, En Banc].

I likewise concur with Associate Justice Arturo D. Brion's opinion to **DISBAR** respondent Judge Henry E. Laron.

  
**MARVIC M.V.F. LEONEN**  
Associate Justice

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