Supreme Court of the Philippines
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Republic of the Philippines
Supreme Court
Manila

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ANONYMOUS, Complainant,	**A.M. No. MTJ-26-056 [Formerly JIB FPI No. 23-118-MTJ]**
	Present:
- versus -	GESMUNDO, *C.J.*, LEONEN, CAGUIOA, HERNANDO, LAZARO-JAVIER, INTING, ZALAMEDA, GAERLAN, ROSARIO, LOPEZ, DIMAAMPAO, MARQUEZ, KHO, JR., SINGH, and VILLANUEVA,* *JJ.*
JUDGE ELMER R. BERNARDO, Municipal Trial Court in Cities, Batac City, Ilocos Norte, Respondent.	Promulgated: February 4, 2026

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DECISION

ROSARIO, *J.*:

This is an administrative case against Judge Elmer R. Bernardo (Judge Bernardo), presiding judge of the Municipal Trial Court in Cities of Batac City, Ilocos Norte (MTCC), for prejudicial conduct that gravely besmirches or taints the reputation of the service.

* No part.

The Facts

The Court, through its Judiciary Public Assistance Section, received an email[1] on August 18, 2023 from an anonymous complainant charging Judge Bernardo with unprofessional conduct involving driving under the influence of alcohol and habitually causing damage to private properties.[2]

The anonymous Complaint alleged that Judge Bernardo, while driving his vehicle, hit a tricycle, causing leg injuries to its driver. The Complaint also stated that Judge Bernardo has caused damage to seven private vehicles by throwing stones, destroying their windshields, and pushing some vehicles into a ditch.[3]

Moreover, the Complaint claimed that while these incidents were recorded in the police blotter, they remained unacted upon and Judge Bernardo has never even amicably settled or paid compensation for the property damage that he caused.[4]

The Complaint narrated:

> *Si Judge Bernardo ay meron ding sinagasahang* [sic] tricycle driver at PIK-a-BUN Terminal. *Napilay po ang kawawang* driver *ngunit wala pong* action taken *at* amicable settlement *na nangyari* for both barangay at Batac PNP for the victim. No compensation of damages was initiated *rin po*. As to date, *mga 7* cars *na po ang sinira ng judge na to (pinagbabato, pinagpapalo or pinagsisira ang* windshield *at* body paints) not to mention *ung* owner type jeep *na hinulog nya sa canal, nakablotter po lahat ito sa* PNP *ngunit nakatengga lang siya dun,* no amicable settlement and no full compensation for damage to property was initiated. *Ganito kabulok ang* justice system *po namin dito sa bayan namin lalo na pag ang akusado ay isang hukom* or member *ng* judiciary.[5]

The anonymous Complaint further narrated a specific incident when Judge Bernardo damaged two vehicles, a Ford EcoSport and an Isuzu Crosswind. The Complaint alleged that Judge Bernardo admitted causing the damage while under the influence of alcohol. He purportedly ordered PSSg. Edward Rabanal of the Batac Philippine National Police (Batac PNP) to manipulate the entry in the police blotter relating to the incident.[6]

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1 *Rollo*, p. 4–5.
2 *Id.* at 4.
3 *Id.*
4 *Id.*
5 *Id.*
6 *Rollo*, p. 4.

The Office of the Court Administrator (OCA) investigated the anonymous Complaint. OCA's findings are stated in its November 15, 2023 Report.[7] According to the report, a team from its Legal Office sent an email to the anonymous complainant proposing to meet to further discuss the Complaint and to obtain more information to aid the investigation. The anonymous complainant, however, did not respond to this request.[8]

The investigating team then went to Batac, Ilocos Norte on October 17 to 20, 2023. The team secured an extract copy of the police blotter regarding one of the incidents stated in the anonymous Complaint. The excerpt stated:

> At or about 3:32 [a.m.] of July 29, 2023, Allan Paul Paraoan y Cabaccang, 43 years old, single, married [sic], call center agent and Richelle Joy Wronski y Paraoan, 38 years old, nurse, married, both residents of Brgy. Ablan, City of Batac, Ilocos Norte came to this station and lodged a complaint against Judge Elmer R. Bernardo for damage to property. They averred that at around 2:30 [a.m.] of this date, their neighbor Judge Bernardo arrived at his residence, allegedly under the influence of liquor when with no apparent reason thrown [sic] a piece of wood and stone towards on [sic] their respective vehicle which was parked outside their house particularly just along the Brgy. Road. As a result of his violent actions, the vehicle of Allan Paul Paraoan described as Ford, bearing plate no. IDI 2305 incurred dents on top, detached rain visor (driver's side) while the vehicle or Richelle Joy Wronski described as ISUZU Crosswind, bearing plate no. XGF 628, incurred dents on the hood and detached rain visor (passenger side). That right after the incident, herein reporting persons able to talked [sic] with Judge Bernardo and he admitted that he was the one who thrown [sic] a piece of wood and stone towards their respective vehicles while it was being recorded (video) thru the use of cellphone.[9]

The team also talked to Allan Paul Paraoan (Paraoan) to obtain additional information. However, while Paraoan confirmed that the entry in the police blotter is accurate, he was reluctant to execute an affidavit because he had already settled the matter with Judge Bernardo. He also mentioned that Richelle Joy Wronski already left the country.[10]

In its December 5, 2023 Resolution,[11] the Court referred the OCA Report to the Judicial Integrity Board (JIB) as it was also evaluating the same anonymous Complaint.[12]

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7 *Id.* at 7–10. The November 15, 2023 Report was signed by Court Administrator Raul B. Villanueva (now Associate Justice of this Court).
8 *Id.* at 7–8.
9 *Id.* at 8.
10 *Id.*
11 *Id.* at 6.
12 *Id.*

The JIB requested the Batac PNP to provide it with a certified true copy of the police blotter entry pertaining to the alleged incident involving Judge Bernardo and a tricycle driver. In its February 23, 2023 Letter,[13] the Batac PNP stated that "there are no recorded incidents that Hon. Bernardo ran over a tricycle driver at the Pik-a-Bun Terminal."[14]

After this investigation, the Office of the General Counsel (OGC) of the JIB formally filed its April 12, 2024 Complaint[15] before the JIB, charging Judge Bernardo with prejudicial conduct that gravely besmirches or taints the reputation of the service.[16]

In its 1st Endorsement,[17] the Office of the Executive Director (OED) of the JIB directed Judge Bernardo to file a comment on the OGC Complaint and to show cause why he should not be sanctioned as a member of the Philippine Bar.[18]

Thus, Judge Bernardo filed his Comment.[19] He denied that he was intoxicated when the incident occurred on July 29, 2023. He asserted that he was even able to carefully maneuver his vehicle past the illegally parked Isuzu Crosswind and Ford EcoSport. Moreover, he clarified that while he admitted causing damage to the two vehicles, he never confessed that he, in fact, deliberately inflicted such damage. He explained:

> that while i [sic] admitted throwing the piece of wood and the stone (2 items), I NEVER ADMITTED that i [sic] INTENTIONALLY TARGETED the vehicles as they were accidentally hit, completely contrary to the claim that they were thrown by me "towards the vehicles."
>
> To say that i [sic] threw them "towards the vehicles" is nothing but a baseless and malicious speculation, the truth of the matter being that the two items were thrown by me towards a rodent the size of a cat, that i [sic] saw moving on the pavement of the road towards the drainage canal. My throwing the 2 items was an instinctive reaction as i [sic] was prompted to grab the 2 items i saw on the floor of my veranda where i was standing at that time.
>
> ....
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> f. at around 2:30 in the early morning of July 29, 2023, i [sic] was driving home southbound on said 4-meter wide Batakenya Street, and i [sic] barely squeezed my car into my garage since there were three vehicles (an

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13 *Id.* at 19.
14 *Id.*
15 *Id.* at 20–25. The April 12, 2024 Complaint was signed by Atty. Romulo A. Paras, Jr., JIB OGC General Counsel.
16 *Id.* at 25.
17 *Id.* at 26.
18 *Id.*
19 *Id.* at 29–38.

> Isuzu Crosswind wagon; a Ford Eco-sport SUV, and a big[-]body car) north of my garage gate, parked facing south on the southbound lane of the 4[-]meter Batakenya Street and completely obstructing the said southbound lane. i [sic] did not fall to the drainage canal at the eastern edge of the Batakenya Street because half of the width of my tire stayed on the pavement while the other half hang over the drainage canal.
> ....
>
> h. while i [sic] was there standing at my veranda, i [sic] suddenly saw a rat the size of a cat moving towards the drainage canal east of the parked Isuzu Crosswind and i [sic] instantly recalled the destructions that rats had done to many of my belongings, and i [sic] instinctively grabbed a piece of wood at the floor of my veranda and throw [sic] it to the rat to scare and drive it away from our area but failed to do so as the piece of wood accidentally landed somewhere else.
>
> i. failing on the first try, i [sic] was able to grab a stone on the veranda floor and throw [sic] it again to [sic] the rat but again my aim cause [sic] the stone to accidentally hit something else.
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> j. at this point, my neighbors were alerted by the commotions, prompting them to go out to see if their vehicles incurred damages and apparently saw dents in the Isuzu crosswind and broken sun visors on the Ford Eco-sports SUV blaming it on the piece of wood and stone that accidentally hit them.
>
> k. though im [sic] not sure if the piece of wood or stone caused the damages, i [sic] admitted throwing the stones even if i [sic] did not intentionally targeted [sic] the illegally parked vehicles, and aware that i [sic] should pay for the damages even if it was all accidental, i [sic] volunteered to pay, apologized for it, and expressed willingness to talk about it in the following morning to let us all get some sleep first as the dawn is [sic] already about to break.[20]

Judge Bernardo also denied that he convinced the Batac PNP to manipulate the entry in the police blotter. He explained that he met the vehicle owners the day after the incident. They agreed that the car owners would have their vehicles repaired at Honda Ilocos and that Judge Bernardo would pay for the cost. He then went to Honda Ilocos to hand over a copy of the police blotter and to give instructions for the repair of the vehicles. However, Judge Bernardo claimed that he received a call the following day from Honda Ilocos's manager, informing him that the vehicle owners presented a different police blotter entry with what appeared to be additional damages on the vehicles.[21]

Judge Bernardo averred that he then went to the police station and talked to the chief of police. He learned that after he settled the matter with the vehicle owners, the latter went to the police station and asked the desk

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[20] *Id.* at 30–33.
[21] *Id.* at 31.

officer to include in the blotter additional items that required repair, even if these purported vehicular damages did not arise from the incident involving Judge Bernardo. After this, Judge Bernardo and the Batac PNP agreed to disregard the padded police blotter.[22]

Judge Bernardo further included in his Comment a portion which he called "background facts." He stated that he resides in a street with a narrow concrete road and that his neighbors, who own large vehicles but have no space inside their houses, use this narrow road for parking. He claimed that he made repeated requests to his neighbors to move their vehicles so that other cars may pass through. His neighbors, Judge Bernardo asserted, resented him because of this and led them to brand him as demanding.[23] He narrated, thus:

> c. for the safety of all residents in our area, and in accordance with the City Mayor's directive to clear all streets with parked vehicles, i [sic] asked Traffic Enforcers posted just 200 meters away, to advice drivers of vehicles not to park in the said street and apprehended [sic] violators for traffic obstruction prohibited by the Land Transportation and Traffic Code as well as by a Batac City Ordinance, a violation of which constitute [sic] a criminal offense.
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> ....
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> d. Despite said advice however, my neighbors who own cars, wagons[,] and SUVs, but has [sic] no space inside their gates big enough to accommodate them, insist on parking their vehicles indiscriminately on said narrow street, leaving them un-attended [sic], without due regard to the right of others to use the street, and unmindful of the annoyance they cause to other people using the street. Every now and then, i [sic] ask them to move their vehicles because i [sic] cannot pass since i [sic] use the road at least 4 times daily...
>
> e. my repeated act of asking my neighbors to move their vehicles to allow passage was resented by said neighbors branding me as too demanding even if i [sic] am only asking for enough space to pass by and even if im [sic] not reporting them for traffic obstruction.[24]

The Report and Recommendation of the JIB

In its May 21, 2025 Report and Recommendation,[25] the JIB OED recommended that Judge Bernardo be found guilty of prejudicial conduct that gravely besmirches or taints the reputation of the service. The dispositive portion of the Report and Recommendation states:

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22 *Id.*
23 *Id.* at 32.
24 *Id.*
25 *Id.* at 63–69. The May 21, 2025 Report and Recommendation in JIB FPI No. 23-118-MTJ was signed by Atty. Eduardo C. Tolentino, Acting Executive Director of the JIB.

> **IN VIEW OF THE FOREGOING**, it is respectfully submitted for the consideration of the Honorable Board that the following recommendations be made to the Supreme Court:
>
> (1) The instant matter be **RE-DOCKETED** as a regular administrative matter against respondent Presiding Judge **Elmer R. Bernardo**, Municipal Trial Court in Cities, Batac City, Ilocos Norte;
>
> (2) Respondent Judge Bernardo be found **GUILTY** of prejudicial conduct that gravely besmirches or taints the reputation of the service and be **FINED** in the amount of PHP 50,001.00, payable within 3 months from receipt of the Decision or Resolution of the Supreme Court;
>
> (3) Respondent Judge Bernardo be **STERNLY REMINDED**, as a member of the Philippine Bar, to maintain a dignified conduct and strictly observe Canon II, Section 2 of the Code of Professional Responsibility and Accountability; and
>
> (4) Respondent Judge Bernardo be **STERNLY WARNED** that a repeat of the same or similar offense shall be dealt with more severely by the Supreme Court.[26] (Emphasis in the original)

The OED explained that an act constitutes conduct prejudicial to the best interest of the service if the act tarnishes the image and integrity of the public service. It also added that this offense covers acts which have no direct relation to or connection with the performance of official duties.[27]

In this case, the OED concluded that Judge Bernardo's conduct constitutes conduct prejudicial to the best interest of the service. It explained as follows:

> Respondent denied being drunk and noted the lack of compelling evidence to substantiate the allegation. However, his explanation that he only threw the piece of wood and stone because he saw a huge rat along the pavement of the road is difficult to believe. Whether he was drunk or not, it cannot be denied that it was respondent's uncalled for actions that damaged his neighbor's vehicles. He exposed himself to public scrutiny, giving opportunity to the public to doubt the dignity of persons wearing the robe in the [J]udiciary. While there may be no intention to violate the law or disregard established rules, the said act of respondent is detrimental to the reputation of the [J]udiciary considering the position he occupies in the [J]udiciary.[28]

The OED emphasized that under Canon IV, Section 1 of the New Code of Judicial Conduct,[29] judges are expected to avoid impropriety and the

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26 *Id.* at 68–69.
27 *Id.* at 66.
28 *Id.* at 67.
29 The New Code of Judicial Conduct was the code applicable during the relevant period.

appearance of impropriety. Judges must ensure that their conduct is above reproach and that they are perceived to be so by a reasonable observer.[30]

The OED added that Canon IV, Section 2 of the New Code of Judicial Conduct imposes upon judges the duty to accept certain personal restrictions that may be viewed as burdensome by the ordinary citizen. They are expected to conduct themselves in a way that is consistent with the dignity of the judicial office.[31]

According to the OED, Judge Bernardo failed to meet these standards.

In its June 27, 2025 Resolution,[32] the JIB adopted the OED Report and Recommendation.

The Court's Ruling

The Court adopts and approves the JIB recommendation.

Judges are held to the highest standards of conduct, both in and outside the courtroom. The duties and responsibilities of a judge are some of the most exacting in public service. Judges are seen as the embodiment of justice and are expected to conduct themselves, both in their public and private lives, in a manner that is beyond reproach.

In this regard, the Court notes that the 2025 Code of Judicial Conduct and Accountability took effect during the pendency of this case. Section 1 of its General Provisions states:

> SECTION 1. *Transitory clause.* – The Code shall be applied to all pending and future cases, except to the extent that, in the opinion of the Supreme Court, its retroactive application would not be feasible or would work injustice, in which case the procedure under which the cases were filed shall govern.

Thus, the Court applies the 2025 Code of Judicial Conduct and Accountability in this case.

Canon IV, Sections 1 and 2 provide:

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30 *Id.*

31 *Id.*

32 *Rollo*, p. 70. The June 27, 2025 Resolution in JIB FPI No. 23-118-MTJ was signed by Justice Angelina Sandoval-Gutierrez, Acting Chairperson (Ret.) and Justice Cielito N. Mindaro-Grulla, Third Regular Member (Ret.).

CANON IV
Propriety

Propriety and the appearance of propriety encompass a judge's conduct, behavior, and attitude, in whatever form, platform, or medium, in accord with the highest standard of behavior expected of judges in their public and private capacities to inspire and maintain public confidence in the judicial system. A judge shall live modestly and avoid any ostentatious display of wealth.

SECTION 1. *Overall conduct and personal restrictions.* – As a subject of constant public scrutiny because of their esteemed position, a judge must freely and willingly embrace personal restrictions that may be commonly viewed as burdensome by an ordinary citizen. In particular, a judge shall conduct oneself in a manner consistent with the dignity of the judicial office.

SECTION 2. *Highest ethical standards.* – A judge's conduct shall be beyond reproach and conform to the highest ethical standards.

A judge must be aware of prevailing social norms. A judge shall refrain from committing any act, in or out of court, that may cause dishonor or ridicule to, or reasonably tend to tarnish the image and dignity of, the judicial office. (Emphasis supplied)

The Court explained the exacting standards of judicial conduct in *Obiedo v. Santos*,[33] thus:

> Judges must adhere at all times to the highest tenets of judicial conduct. They must be the embodiment of competence, integrity, and independence. Like Caesar's wife, a judge must not only be pure but above suspicion. Being the visible representation of the law and the embodiment of the people's sense of justice, a judge should constantly keep himself away from any act of impropriety, not only in the performance of his official duties but also in his everyday actuations. The ethical principles and sense of propriety of a judge are essential to the preservation of the people's faith in the judicial system.[34]

Similarly, in *Ambassador Angping v. Judge Ramos*,[35] the Court reiterated that judges must personify judicial integrity and exemplify honest public service. The conduct of judges must be free of any whiff of impropriety as to the performance of their duties and their behavior outside their sala.[36]

These standards apply specifically in the case of trial court judges who are the Judiciary's frontliners as they have direct contact with litigants. Judges are the embodiment of the people's sense of justice.[37] Thus, the Court further explained in *Obiedo*:

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33 893 Phil. 264 (2021) [Per J. Zalameda, First Division].
34 *Id.* at 270.
35 700 Phil. 503 (2012) [Per J. Reyes, First Division].
36 *Id.* at 509.
37 *Id.* at 510.

> When the judge himself becomes the transgressor of any law which he is sworn to apply, he places his office in disrepute, encourages disrespect for the law and impairs public confidence in the integrity and impartiality of the judiciary itself. It is therefore paramount that a judge's personal behavior both in the performance of his duties and his daily life, be free from any appearance of impropriety as to be beyond reproach.[38] (Citations omitted)

The law penalizes judges even for conduct which does not relate to the performance of their duties, where their acts gravely tarnish the public image of the Judiciary. Acts done outside the courtroom can be penalized if these acts cause the public to doubt the integrity and dignity of the judicial office.

In this case, the undisputed fact is that the respondent's conduct caused damage to two vehicles. Thus, the central issue is whether the respondent deliberately caused damage to the vehicles and whether this conduct should be penalized, and to what extent.

In resolving this issue, the Court relies on the fundamental rule that in administrative cases for the discipline of judges, the quantum of proof is substantial evidence or such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.[39] Further, in administrative proceedings, technical rules of procedure and evidence do not strictly apply. Administrative due process is not "fully equated with due process in its strict judicial sense."[40] Nonetheless, the parties in an administrative case must be given a reasonable opportunity to be heard and to present any evidence which may support their defense.[41]

The anonymous Complaint alleged that the respondent intentionally caused this damage and has in fact habitually damaged other vehicles in the past.[42] The police blotter indicates that the respondent was allegedly intoxicated when he threw objects towards the vehicles.[43] In its investigation, OCA talked to Paraoan, owner of one of the damaged vehicles, who confirmed that police blotter entry is accurate.

To be sure, neither the police blotter entry nor the allegations in the anonymous Complaint suffice to establish that the respondent purposely damaged the vehicles or that he was intoxicated at the time of the incident. However, Paraoan's confirmation, coupled with the respondent's statements

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38 893 Phil. 264, 272 (2021) [Per J. Zalameda, First Division].
39 *Office of the Court Administrator v. Judge Reyes*, 889 Phil. 622, 634 (2020) [*Per Curiam, En Banc*].
40 *Dela Cruz v. Malunao*, 684 Phil. 493, 502 (2012) [*Per Curiam, En Banc*], *citing Office of the Court Administrator v. Canque*, 606 Phil. 209, 220 (2009) [*Per Curiam, En Banc*].
41 *Id.*
42 *Rollo*, p. 4.
43 *Id.* at 13.

in his submissions before the JIB, paint a vivid picture of what truly transpired in the early morning of July 29, 2023.

To repeat, the respondent insisted that he threw the piece of wood and the stone solely in an attempt to kill a rodent which he purportedly saw while he was standing on his veranda past 2:30 in the morning.[44]

Thus, he would have this Court believe that he was on his veranda at early dawn and saw a rodent scurrying near the two vehicles. He would also have this Court believe that there was a piece of wood and stone inexplicably available on his veranda which he conveniently picked up and threw at the rodent in an attempt to kill it. Further, he would have this Court believe that after he failed to hit the rodent on his first attempt, he tried again, oblivious to the possibility that he could cause damage to the nearby vehicles, which incidentally, were the very same vehicles he found illegally parked when he went home earlier that night. This effort to kill a rodent, the respondent claimed, caused such a commotion that his neighbors were roused from their sleep, impelled to go out of their houses at early dawn, and in his own words, they were prompted to "go out to see if their vehicles incurred damages and apparently saw dents... blaming it on the piece of wood and stone that accidentally hit them."[45]

The Court agrees with the JIB that this story is implausible. That the respondent would concoct such a fantastic defense—that he was merely defending property against the attacks of a rodent, at early dawn, while on his veranda—worsens his position.

The Court further finds noteworthy the tenor by which the respondent chose to defend himself in his Comment filed before the JIB. The respondent not only explained that he accidentally damaged two vehicles, he also provided what he called "background facts" which recounted his complaints about his neighbors' habit of parking in the street in a manner that obstructed ingress and egress.[46] He also averred that on the day of the incident, the damaged vehicles were illegally parked and made using the street difficult. All these statements are unnecessary to his central defense—that he threw the piece of wood and stone not at the vehicles but at a rodent, and that the damage caused was purely accidental. These "background facts" as to the alleged illegal parking situation betray the respondent's utter lack of remorse as to the damage caused. The Court finds that these statements in his Comment indicate his resentment of his neighbors's alleged persistent refusal to obey parking regulations. It is, therefore, entirely reasonable to conclude that the incident

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44 *Id.* at 32 and 34.
45 *Id.* at 33.
46 *Id.*

was not completely without malice and was driven by a judge's inability to exercise restraint.

To reiterate, the respondent's decision to invoke this incredible story as his defense does nothing to strengthen his case. On the contrary, it severely weakens his position and underscores the importance of penalizing his conduct.

When judges who patently disregard the exacting standards of judicial ethics remain unpunished because they are able to deploy legal maneuverings and use their legal knowledge to wriggle their way out of liability, the integrity of the entire Judiciary is jeopardized. The Court cannot allow judges to behave in a manner that creates an impression in the mind of the public that judges are above the law and that they are free to disregard the law with impunity. When erring judges remain unpunished, it is the judicial institution itself that suffers. The Judiciary sources its legitimacy ultimately from the authority granted by the people, which in turn, stems from their belief that the Judiciary is an institution that renders justice and remains true to its duty to uphold the law regardless of the circumstances and personalities involved. If the Judiciary allows its members to ignore ethical standards without repercussions, the confidence of the people is weakened, and the institution itself becomes an instrument of injustice.

Thus, the Court cannot overemphasize the gravity of every judge's duty to act in a manner befitting the dignity of the judicial office. Judges are held to the highest of standards because they represent the Judiciary and any conduct that falls below these standards jeopardizes the judicial system's legitimacy. The Court finds that the respondent's conduct subject of this case is precisely the type of conduct that undermines the Judiciary's integrity. The Court's decision in this case must serve as a reminder to the respondent and all other members of the Judiciary that the ethical standards of their position are exacting, and that the Court will not hesitate to enforce these standards.

Further, even if the Court were to gratuitously assume that the respondent's version is accurate, his recklessness in throwing items in an area where private property could be, and was in fact, damaged still constitutes conduct falling below the standard of behavior expected of members of the Judiciary. No judge acting with prudence would haphazardly hurl dangerous objects that could potentially damage property within the vicinity. Worse, the respondent's incredible explanation that he was targeting a rodent, far from exculpatory, underscores the absence of the restraint demanded by Canon IV. Even if not committed in his judicial capacity, his conduct created an appearance of impropriety, exposing him to public ridicule. It also caused a spectacle that undermined the respect for the judicial robe he wears and diminished public confidence in the Judiciary.

The Court reiterates its admonition in Re: *Anonymous Complaint Against Judge Edmundo T. Acuña*:[47]

> *Judges are demanded to be always temperate, patient and courteous both in conduct and in language.* Indeed, a judge should so behave at all times as to promote public confidence in the integrity and impartiality of the judiciary. Propriety and the appearance of propriety are essential to the performance of all the activities of a judge. *We recognize, of course, that judges are also human beings, with their own burdens and private affairs. However, having accepted the esteemed position of judge, the respondent ought to have known that more is expected of him than an ordinary citizen. As subjects of constant public scrutiny, personal restrictions that might be viewed as burdensome by the ordinary citizen should be freely and willingly accepted by a judge.* In particular, he or she must exhibit conduct consistent with the dignity of the judicial office. *Indeed, a judge's personal behavior, not only while in the performance of official duties, must be beyond reproach, being the visible personification of law and of justice.*[48] (Emphasis supplied, citations omitted)

Under Canon VII, Section 18(k) of the 2025 Code of Judicial Conduct and Accountability, "conduct unbecoming of a judge or prejudicial, vulgar or scandalous conduct that gravely besmirches or taints the reputation of the service" is a serious offense.

The meaning of prejudicial conduct under this context has long been settled. Significantly, the annotation for Rule 140 of the Rules of Court (on which Canon VII, Section 18 was based and which the 2025 Code of Judicial Conduct and Accountability superseded) explains:

> On the other hand, conduct prejudicial to the best interest of the service refers to acts that "tarnish the image and integrity of [a] public office" without a "direct relation to or connection with the performance of [one's] official duties." (*Office of the Ombudsman-Visayas v. Castro,* 759 Phil. 68 [2015]) **It must be noted, however, that based on existing jurisprudence, "conduct prejudicial to the best interest of the service" tends to become some sort of a blanket offense to cover all other misdeeds not falling under any specific offense already listed in the Rule. To remedy this situation, the offense is reformulated to "prejudicial conduct that gravely besmirches or taints the reputation of the service."**[49] (Emphasis in the original)

For serious offenses, Canon VII, Section 22 of the 2025 Code of Judicial Conduct and Accountability provides the following penalties:

1. Dismissal from the service, forfeiture of benefits (except accrued leave credits) and disqualification from reinstatement or appointment in government service;

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47 A.M. No. RTJ-04-1891, July 28, 2005 [Per J. Callejo, Sr., Second Division].
48 *Id.*
49 A.M. No. 21-08-09-SC (Re: Further Amendments to Rule 140 of the Rules of Court, Annotated Version), p. 13.

2. Suspension from office without salary and other benefits for one year and one day up to three years; and/or

3. A fine of more than PHP 101,000.00 but not exceeding PHP 500,000.00.

Canon VII, Section 24 identifies, as a mitigating circumstance, the fact that the charge is the respondent's first offense, as in this case. In this regard, Canon VII, Section 25 provides that where there is one or more mitigating circumstance and no aggravating circumstances, the Court may impose the penalties of suspension or fine for a period or amount not less than half of the minimum prescribed.

This is the respondent's first offense. Thus, the Court agrees with and adopts the JIB's recommendation that he be imposed a fine in the amount of PHP 50,001.00.

As to the respondent's liability as a member of the Philippine Bar under the Code of Professional Responsibility and Accountability, the Court quotes with approval the JIB OED's recommendation as follows:

> With regard to respondent's liability as a member of the Bar, Canon II, Section 2 of the CPRA states:
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> "Section 2. Dignified conduct. – A lawyer shall respect the law, the courts, and other government agencies, their officials, employees, and processes, and act with courtesy, civility, fairness, and candor towards fellow members of the bar.
>
> A lawyer shall not engage in conduct that adversely reflects on one's fitness to practice law, nor behave in a scandalous manner, whether in public or private life, to the discredit of the legal profession."
>
> In the instant case, only one incident was duly established and respondent was already held liable as a member of the Judiciary. He expressed his remorse and offered reparations to the owners of the vehicles for the damages he caused. Thus, a stern reminder will suffice.[50]

ACCORDINGLY, the Court finds Judge Elmer R. Bernardo **GUILTY** of prejudicial conduct that gravely besmirches or taints the reputation of the service. He is **FINED** in the amount of PHP 50,001.00 which he is directed to pay within three months from notice of this Decision.

Judge Elmer R. Bernardo is also **STERNLY REMINDED**, as a member of the Bar, to maintain a dignified conduct and strictly observe Canon II, Section 2 of the Code of Professional Responsibility and Accountability.

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[50] *Rollo*, p. 68.

Finally, the Court **STERNLY WARNS** Judge Elmer R. Bernardo that a repeat of the same or similar offense shall be dealt with more severely.

SO ORDERED.

RICARDO R. ROSARIO
Associate Justice

WE CONCUR:

ALEXANDER G. GESMUNDO
Chief Justice

(DISSENTING OPINION)
MARVIC M.V.F. LEONEN
Senior Associate Justice

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

RAMON PAUL L. HERNANDO
Associate Justice

AMY C. LAZARO-JAVIER
Associate Justice

HENRI JEAN PAUL B. INTING
Associate Justice

RODIL V. ZALAMEDA
Associate Justice

SAMUEL H. GAERLAN
Associate Justice

JHOSEP Y. LOPEZ
Associate Justice

JAPAR B. DIMAAMPAO
Associate Justice

JOSE MIDAS P. MARQUEZ
Associate Justice

ANTONIO T. KHO, JR.
Associate Justice

MARIA FILOMENA D. SINGH
Associate Justice

(NO PART)
RAUL B. VILLANUEVA
Associate Justice