



Republic of the Philippines
Supreme Court

THIRD DIVISION

PROSECUTORS

HYDIERABAD A. CASAR,
JONALD E. HERNANDEZ,
DANTE P. SINDAC and
ATTY. JOBERT D. REYES,

Complainants,

- versus -

Case No. RTJ 12-2333

[Formerly OCA-I.P.I. No. 11-3721-RTJ]

Present:

VELASCO, JR., *J., Chairperson*,
LEONARDO-DE CASTRO,*
PERALTA,
ABAD, and
MENDOZA, *JJ.*

CORAZON D. SOLUREN,
Presiding Judge
Regional Trial Court,
Branch 96, Baler, Aurora,

Respondent.

Promulgated:

22 October 2012

X ----- *Atty. Velasco* X

RESOLUTION

MENDOZA, *J.*:

Before the Court is an administrative complaint against Judge Corazon D. Soluren (*Judge Soluren*) of the Regional Trial Court (*RTC*), Branch 96, Baler, Aurora.

In a Complaint,¹ dated August 12, 2011, Assistant Provincial Prosecutors Hydierabad A. Casar, Jonald E. Hernandez, Dante P. Sindac and Atty. Jobert D. Reyes (*complainants*) of the Public Attorney's Office, Baler, Aurora, charged Judge Soluren with Gross Misconduct.

* Designated acting member, per Special Order No. 1343, dated October 9, 2012.

¹ *Rollo*, pp. 1-9.

Complainants aver that on June 20 and 22, 2011 and July 19, 2011, Judge Soluren went to the Aurora Provincial Jail and conferred with the inmates including those who had pending cases before her sala. This was in contravention of Office of the Court Administrator (*OCA*) Circular No. 03-2010, dated January 12, 2010, which suspended the conduct of jail visitation and inspection by Executive Judges and Presiding Judges pending results of the re-examination of the provisions of A.M. No. 07-3-02-SC.

According to complainants, the purpose of Judge Soluren's visit was to persuade the prisoners into signing a letter addressed to then Chief Justice Renato C. Corona, calling for the dismissal of the administrative complaint filed against her by Atty. Juliet M. Isidro-Reyes, District Public Attorney, Baler, Aurora, and for the removal of Judge Evelyn Atienza-Turla as Presiding Judge of RTC, Branch 6, Baler, Aurora.

Attached to the complaint were: the certification² issued by the Prison Guard Administrator as proof of Judge Soluren's unauthorized visits to the provincial jail and the affidavit³ executed by Dolores P. Sollano, her companion during the visits. Also presented was a subsequent handwritten letter⁴ signed by the detention prisoners admitting that they were not aware of the import of the letter to the Chief Justice due to lack of explanation by Judge Soluren. They wished to withdraw the same, not wanting to be a part of the conflict between Judge Soluren and the Public Attorney's Office of Baler, Aurora.

In her Comment,⁵ dated November 5, 2011, Judge Soluren admitted that she went to the Aurora Provincial Jail on four (4) occasions but they were not official jail visitations because she went there without the presence and assistance of her staff member and not in compliance with the orders of the Supreme Court.

² Id. at 10.

³ Id. at 11.

⁴ Id. at 17.

⁵ Id. at 55-68.

After the filing of the Reply by complainants and the Rejoinder by Judge Soluren, the OCA issued its Report, dated August 17, 2012, finding Judge Soluren guilty of Simple Misconduct and imposing upon her a fine of ten thousand pesos (₱10,000.00) to be deducted from her retirement benefits in view of her compulsory retirement from the service on January 29, 2012.

The Court resolves to adopt the recommendation.

Judge Soluren opened herself to charges of impropriety when she went to the Aurora Provincial Jail to solicit the sympathies and signatures of the prisoners, especially those who had pending cases in her *sala*.

This Court has consistently enjoined judges to avoid not just impropriety in their conduct but even the mere appearance of impropriety⁶ because the appearance of bias or prejudice can be damaging as actual bias or prejudice to the public's confidence on the Judiciary's role in the administration of justice. To say the least, using detention prisoners who had cases before Judge Soluren cannot be countenanced.

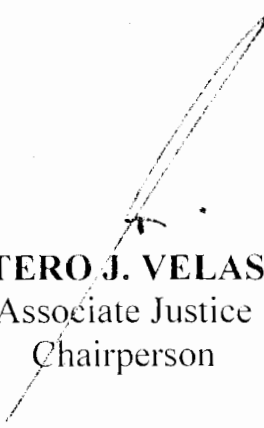
WHEREFORE, the Court **RESOLVES** to **APPROVE** and **ADOPT** the findings and recommendation of the Office of the Court Administrator. Accordingly, the Court finds retired Judge Corazon D. Soluren, Regional Trial Court, Branch 96, Baler, Aurora, **GUILTY** of **SIMPLE MISCONDUCT** and imposes upon her the penalty of **FINE** in the amount of Ten Thousand Pesos (₱10,000.00) to be deducted from her retirement/gratuity benefits.

SO ORDERED.


JOSE CATRAL MENDOZA
Associate Justice

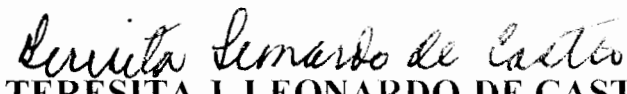
⁶ *San Juan v. Bagalasca*, 347 Phil. 696 (1997).

WE CONCUR:




PRESBITERO J. VELASCO, JR.


Associate Justice
Chairperson



TERESITA J. LEONARDO-DE CASTRO
Associate Justice



DIOSDADO M. PERALTA
Associate Justice



ROBERTO A. ABAD
Associate Justice