

Title:

Susan Mendoza-Arce vs. Office of the Ombudsman (Visayas) et al.

Facts:

This case originates from a complaint by respondent Santiago B. Villaruz, one of the oppositors in a Special Proceeding Case (No. V-6433) regarding the will of Remedios Bermejo-Villaruz, against petitioner Susan Mendoza-Arce, Clerk of Court VI of the Regional Trial Court of Roxas City. Santiago was removed as the estate administrator of Remedios Bermejo-Villaruz for failure to comply with court orders, and Nicolas B. Villaruz, Jr. was appointed in his stead, conditioned upon posting a bond of P50,000.00, which was approved by Judge Sergio Pestaño. Susan Mendoza-Arce issued a Letter of Administration (LOA) based on this order, which led Santiago to file a complaint with the Office of the Ombudsman (Visayas), accusing Arce of falsification and corrupt practices for allegedly misrepresenting the court's orders in the LOA, thus enabling Nicolas to take possession of estate properties leased to Santiago.

Santiago's complaint was supported by affidavits, and after initial evaluation, the Ombudsman found a prima facie case against Arce for violation of the Anti-Graft and Corrupt Practices Act and for Falsification of an Official Document. Arce's motion for reconsideration was denied, prompting her to file a petition for certiorari with the Supreme Court to annul the Ombudsman's resolutions.

Issues:

1. Whether the Office of the Ombudsman (Visayas) acted with or in excess of its authority in ordering the filing of informations against Arce for violations of the Anti-Graft and Corrupt Practices Act and the Revised Penal Code despite an absence of probable cause.
2. Whether Susan Mendoza-Arce, in issuing the Letter of Administration, acted with manifest partiality, evident bad faith, or gross inexcusable negligence.
3. Whether the Letter of Administration falsified court orders by incorrectly attributing the appointment of Nicolas B. Villaruz, Jr. as administrator of the estate.

Court's Decision:

The Supreme Court granted the petition and set aside the resolution of the Graft Investigation Officer as approved by the Office of the Ombudsman and its order denying reconsideration. It dismissed the complaint against Susan Mendoza-Arce for lack of probable cause. The Court determined that Arce acted within her ministerial duties as a clerk of court in issuing the LOA, essentially copying the form prescribed by the Manual for

Clerks of Court. It found no evidence of manifest partiality, evident bad faith, or gross inexcusable negligence. Moreover, the Court ruled that there was no criminal intent in the preparation of the LOA as it was based on the judge's order approving the administrator's bond.

Doctrine:

This case reiterates the doctrine that to establish a cause for violation of Section 3(e) of the Anti-Graft and Corrupt Practices Act, it's required to prove that the accused public officers acted with manifest partiality, evident bad faith, or gross inexcusable negligence which caused undue injury to any party. Additionally, it underscores that a ministerial act by a public officer, done in compliance with prescribed processes, and without corrupt motives, does not constitute falsification or corrupt practices even if the result is technically inaccurate.

Class Notes:

- **Ministerial Duties**: Actions taken by a public officer in a prescribed manner without the need for personal discretion.
- **Probable Cause**: A reasonable ground of suspicion supported by circumstances sufficiently strong to warrant a cautious person's belief that the accused is guilty of the offense charged.
- **Manifest Partiality**: Bias that is evident, noticeable, and deliberate.
- **Evident Bad Faith**: Acting with intentional dishonesty or with a motive to deceive or defraud.
- **Gross Inexcusable Negligence**: A level of negligence that goes beyond mere carelessness and includes acting willfully with a conscious disregard of harm that may result.

Historical Background:

The case captures a complex interplay of family dynamics, estate administration, and legal duties within the judiciary's clerkship offices. It highlights a confrontation between personal rights and official duties within the scope of administering a deceased's estate, set against the backdrop of legal standards for public officers' conduct in the Philippines. It also underscores the procedural intricacies involved in the escalation of complaints from lower courts to the Office of the Ombudsman and ultimately, the Supreme Court, reflecting the checks and balances inherent in the Philippine legal system concerning accusations of corruption and malfeasance among public officials.