

Title:

Blanquisco v. Austero-Bolilan: A Case of Negligence and Misconduct in Issuing Legal Certifications by a Court Clerk

Facts:

The case centers around a complaint filed by spouses Arturo B. Blanquisco and Corazon Manalang-Blanquisco against Atty. Asuncion Austero-Bolilan, the Clerk of Court VI of the Regional Trial Court of Tabaco City, Fifth Judicial Region. The complaint dated April 17, 2002, accused Bolilan of grave abuse of authority, oppression, dishonesty, falsification of public documents, and violation of her lawyer's oath. This accusation stemmed from Bolilan's issuance of a certification favoring Angelina Gloria Ong which erroneously stated that Lot Nos. 4422-B and 4422-C were not involved in any litigation. This certification led to the cancellation of a previous Lis Pendens related to an appeal in Civil Case No. T-1824 concerning the annulment of a Deed of Partition allegedly executed fraudulently against the Blanquiscos' interest. The wrongful certification also facilitated the sale and transfer of titles of the mentioned lots, prejudicing the Blanquiscos.

Procedural Posture:

The complaint underwent evaluation by the Office of the Court Administrator (OCA), which recommended a fine for negligence against Bolilan. Upon escalation to the Supreme Court, the matter was reviewed in the context of the responsibilities and duties of a Clerk of Court and previous jurisprudence related to office heads' reliance on subordinate work.

Issues:

1. Whether Atty. Asuncion Austero-Bolilan was negligent in issuing the certification that erroneously facilitated the cancellation of the Lis Pendens and subsequent sale of the disputed properties.
2. Whether Bolilan's actions constitute grave misconduct violating her professional and administrative duties.

Court's Decision:

The Supreme Court found Bolilan to be negligent in her duties as Clerk of Court. However, it differentiated the facts of this case from the Arias ruling, emphasizing that reliance on subordinates does not absolve a department head from misconduct when due diligence is not exercised, especially in sensitive legal matters. Bolilan's defenses of having verified the case details and having relied on subordinates were deemed insufficient to exonerate her from negligence, given the impact of her certification on the ongoing litigation involving

substantial property interests. Consequently, the Court fined Bolilan P2,000, with a warning against the repetition of similar acts.

Doctrine:

The decision reiterates the doctrine that government officials, especially those involved in the judiciary, must exercise a high degree of diligence and care in performing their duties. It emphasized that negligence by officials in issuing certifications or documents that could affect the outcome of legal cases constitutes a serious breach of administrative conduct warranting disciplinary action.

Class Notes:

- **Negligence in Official Duties**: Negligence by a public official involves a failure to exercise the care that a reasonably prudent person would exercise in similar circumstances. This case illustrates the repercussions of such negligence in legal proceedings.
- **Reliance on Subordinates**: While officials can rely on the work of subordinates to some extent, this does not absolve them of the responsibility to ensure accuracy and diligence in matters of significant legal and administrative importance.
- **Legal Certifications**: Certifications issued by court personnel must accurately reflect the status of matters before the court, especially when these certifications can affect litigation outcomes and property rights.
- **Duty of Clerks of Court**: Clerks of Court hold the responsibility to ensure that the information in their custody accurately guides legal decisions and actions, including those related to property disputes.

Historical Background:

This case sheds light on the procedural sensitivity and potential for misconduct in administrative roles within the judiciary. It serves as a cautionary tale about the impact of legal certifications on property rights and litigation, highlighting the judiciary's administrative arm's critical role in maintaining integrity and trust in legal processes.