

JUDGE ADORACION G. ANGELES, COMPLAINANT, VS. ELIZABETH CASAÑAS, RESPONDENT.

A.M. No. P-87-120. June 26, 1989

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/0399e11a4345/>

PER CURIAM:

In a First Indorsement dated 7 August 1987, complainant Adoracion G. Angeles, Presiding Judge, Regional Trial Court, Branch 121, Caloocan City, charged respondent Elizabeth Casañas, Staff Assistant I of the same court, with non-performance and/or inefficiency in the performance of official duties, particularly her failure to attach the return cards of court orders to the pertinent case records, unreasonable delay in furnishing the Office of the Clerk of Court with copies of orders and judgments on bonds; frequent and unauthorized tardiness; and falsification of entries in the daily time records, before the Office of Executive Judge Domingo M. Angeles, Regional Trial Court, Caloocan City. The First Indorsement stated, among other things, that the complainant Judge had required Elizabeth Casañas to explain in writing the infraction of rules which complainant considered had been committed by Casañas: that the written explanation of Casañas in her letter to complainant Judge dated 1 August 1987 was unsatisfactory, with the result that appropriate administrative action against Casañas was believed by complainant Judge to be warranted.

Executive Judge Domingo M. Angeles referred the detailed charges of complainant Judge to Elizabeth Casañas by a Second Indorsement dated 12 August 1987, for comment.

Elizabeth Casañas, by a Third Indorsement dated 20 August 1987, furnished Executive Judge Domingo M. Angeles with a copy of her written explanation dated 1 August 1987 previously submitted to complainant Judge. Executive Judge Angeles then forwarded the record of this case to the Office of the Court Administrator, Supreme Court, for further instructions.

The Office of the Court Administrator returned the records of the case to Executive Judge Angeles with instructions to conduct an investigation on the matter and to submit a report and recommendation thereon within thirty (30) days from receipt of the instructions.

Meantime, on 17 September 1987 complainant Judge filed with the Executive Judge an additional charge against respondent Casañas, stating that about 203 return cards and 50 subpoenae were found in the drawer of the desk of respondent Casañas, the latter having failed to attach such return cards and subpoenae to the records of the respective cases to which they pertained. The Executive Judge required respondent to comment on this additional charge and on the Affidavits of Messrs. Laureano M. Sanchez, Emmanuel A. Bantug and Ms. Charmane F. del Rosario, all employees of Branch 121, submitted by complainant to support the additional charge. Respondent Casañas filed a Comment on the additional charge on 20 October 1987.

Accordingly, Executive Judge Angeles conducted a series of hearings - six (6) in all - at which complainant and respondent appeared, gave testimony and submitted their respective evidence, testimonial and documentary.

In his "Report and Recommendation" dated 29 January 1988 and transmitted to the Court Administrator, Executive Judge Angeles set out the following facts:

"On July 29, 1987, complainant issued a memorandum to respondent, to wit:

'For several occasions in the past, your attention had already been called by the Presiding Judge of this Court.

You were assigned by the Presiding Judge to attach the return cards to the respective records of the case immediately upon receipt of the same but You never done so.

During the hearing yesterday, July 28, 1987, of Criminal Case Nos. C-21222 (83). C-21223(83) and C-21224(83), entitled People of the Philippines versus Nicandro Valdez, et al., the Court has observed that the return card of the order of the court dated March 30, 1987 was not attached to the records thus constraining the court to suspend the proceedings to enable you to produce the same in open court, but you failed. The court finally called a recess (Annex "A" and "A-1"). It is interesting to state that under the situation, the court could not issue an appropriate order, a judgment on the bond, because the return card was nowhere to be found and the court was not sure whether the order dated March 30, 1987 was actually received by the bondsman. You were summoned inside the Chambers of the Judge, but it took several minutes before you finally came in and submitted the desired return card. Indeed, your actuation had unnecessarily disrupted the proceedings of this Court so much so that there were several cases scheduled for hearing yesterday. Let it be stressed that, the return card was received by the court since the early Part of April, 1987 and yet you never bothered at all to attach the same to the records of the case for more than three (3) months for the proper and immediate guidance of the court (Annex "B").

Further examination of the logbook of attendance of the court personnel of this Branch as well as Daily Time Records (CS Form 48) will readily reveal that you had falsified your time records on the following dates:

- 1) May 13, 1987 - You registered your time of arrival at 8:00 o'clock a.m., and left the office thereafter (Annex "C" and "C-1") but you had caused it to appear in the daily time card that you reported up to 12:00 o'clock noon (Annex "C-2");
- 2) May 15, 1987 - you registered in the afternoon at 12:30 o'clock (Annex "D" and "D-1") and thereafter left the office but you had caused it to appear in the daily time card that you were in the office up to 4:30 o'clock in the afternoon (Annex "D-2");
- 3) May 29, 1987 - You did not report for work in the afternoon (Annex "E") but had caused it to appear in the daily time record that you worked the whole day (Annex "E-1");
- 4) June 5, 1987 - You registered your time of arrival at 8:27 o'clock a.m. (Annex "F" and "F-1"), and left thereafter but you made it appear in the daily time record that you worked up to 12:00 o'clock noon (Annex "F-2").

Moreover, the records show that for the month of June, 1987 you frequently came late in reporting for work as shown hereinbelow which indeed is violative of Rule 18, Section 19, paragraph (B) of the Civil Service Law (Annex "G");

DATE

TIME OF ARRIVAL

June 8, 1987

8:15 a.m.

June 9, 1987

8:30 a.m.

June 10, 1987

8:30 a.m.

June 11, 1987

8:25 a.m.

June 15, 1987

8:30 a.m.

June 16, 1987

8:15 a.m.

June 17, 1987

8:10 a.m.

June 30, 1987

9:00 a.m.

The offenses that you had committed were undoubtedly serious in nature which do not speak well of a good public servant. They are so serious in nature which only deserve serious consideration by the authorities concerned.

In view of the foregoing, you are hereby required to explain within seventy two (72) hours from receipt of this memorandum why you should not be charged criminally and administratively.

On July 31, 1987, the herein complainant received a letter (Exh. 'J') from the Clerk of Court of the Regional Trial Court, National Capital Region, Caloocan City informing the former that she received five (5) orders and/or judgments on the bond on the following cases, to wit:

- Criminal Case No. C-27824

People of the Philippines vs. Arnulfo Fariña:

- the order dated June 9, 1987 was received by the Office of the Clerk of Court only on July 31, 1987 or 52 days from the date of its issuance:

- Criminal Case Nos. C-25005 to 25006

People of the Philippines vs. Eleuterio Fernandez

- the order dated July 5, 1987 was released 25 days later

- Criminal Case Nos. C-26582 & 26583

People of the Philippines vs. Ariel Sison, et al.

- the order dated July 12, 1987 was released 9 days after its issuance.

- Criminal Case No. C-25900

People of the Philippines vs. Benjamin de la Cruz

- the order dated July 12, 1987 was released 9 days after issuance.

- Criminal Case No. C-24190

People of the Philippines vs. Corazon del Rosario

- the order dated July 27, 1987 was released 5 days after its issuance.

In the same letter, Atty. Palanca stressed the importance of furnishing the Office of the Clerk of Court promptly with copies of orders of confiscation of bonds, judgment on the bonds and writ of execution to enable

it to accurately certify on (sic) the status of bonding companies. Hence, the request that the employee in charge of releasing be reprimanded and/or admonished and that henceforth, orders of the court be released immediately as soon as they are signed to avoid miscarriage of justice.

On August 1, 1987, respondent submitted a written explanation to the memorandum of the complainant dated July 31, 1987. On the charge of her failure to attach the return cards of the order dated March 30, 1987 she claimed that she overlooked the matter due to her numerous duties in the office and enumerated the same, as follows: docketing of criminal cases in said branch, mailing of court orders and notices, typing of calendar of hearing in criminal cases every Monday, Tuesday and Wednesday of the week; stitching orders, notices and subpoenas to the case records of criminal cases; pasting registry receipts and return cards to the records of criminal cases; receiving, covering and lettering other related works. On the alleged falsification at daily time records, she claimed that it has been properly verified and found correct by the Officer-in-Charge who affixed his initials thereon and was duly signed by the Presiding Judge. As to her frequent tardiness, it was admitted but explained that it was because of her personal problems at home.

xxx xxx xxx

In defense of the charges levelled against her from non-performance and inefficiency in the performance of official duties, the respondent maintains that it was only on July 28, 1987 when her attention was first called for failing to attach the return card of a court order to its case record and explained that she had overlooked to do the same due to her numerous duties in the office.

It is undubitably (sic) established, however, that the Presiding Judge assigned the respondent to take charge of criminal cases in the said branch of court and thus, it was her duty to do all matters from entry of criminal cases in the docket book to the transmittal of appealed cases. Respondent's claim that she had to do all the numerous tasks all by herself is baseless since she has an assistant in the person of Victoriano Roque, as shown in Exhibit "B".

As to her failure to furnish the Office of the Clerk of Court with copies of orders and judgment on the bond, the length of her services (8) years) in a court of justice would have taught her of said responsibility. Respondent's neglect is a proof of her inefficiency.

The evidence offered by the complainant clearly showed that upon her assumption of office, she issued a memorandum addressed to all personnel of the said branch of court, the pertinent portion of which is quoted hereunder:

‘This is a reiteration of my verbal order requiring all of you to register your daily attendance in the logbook and you should observed the regular office hours. Likewise, no one is allowed to leave the office during office hours without permission from the Presiding Judge. However, in the absence of the Judge, the necessary permission should be secured from Mr. Laureano Sanchez and in the absence of the latter, Mr. Emmanuel Bantug.

to inculcate in their minds the importance of discipline in one's behavior towards his work. and in the implementation of the said order/ memorandum, complainant Presiding Judge purposely keeps the logbook inside her chambers, to train the personnel in the habit of promptness, punctuality and honesty. Hence, the strict requirement of timing in and out in the»morning as well as in the afternoon.

xxx xxx xxx

In fine, the evidence adduced by the complainant, both oral and documentary, establishes respondent's non-performance and/or inefficiency of the performance of official duties, particularly her failure to attach the return cards of several court orders to its pertinent records, the unreasonable delay in furnishing the Office of the Clerk of Court of copies of several orders and judgments on the bonds, frequent unauthorized tardiness in reporting for work and falsification of entries in the Daily Time Records.

On the contrary, the theory of the respondent Elizabeth Casañas based on her lone testimony hardly deserves credence, not only in the light of the clear, straight-forward and candid narration of the complainant's witnesses but also because of her (respondent) doubtful sincerity. It is very apparent that her defense is an eleventh hour concoction.

By and large, the respondent has demonstrated by her conduct callous unconcern for the responsibility of her official duties. Her gross neglect of duty constitute a serious misconduct in office. And, her act of falsification of entries in her Daily Time Records warrants her removal from office.

xxx xxx xxx"

After careful examination of the records of this case, and having determined that the findings of fact of Executive Judge Angeles are supported by the evidence of record, the Court adopts the said findings of fact and finds respondent Casañas guilty of non-performance of official duties, frequent and unauthorized tardiness in reporting for work, and falsification of entries in her daily time records.

The Court, however, is unable to accept the recommendation of Executive Judge Angeles that respondent Casañas be dismissed from the service. We consider that removal from the service would be a disproportionate penalty considering the nature of the offenses committed and considering that this is the first administrative case of respondent Casañas. We believe that the penalty of a fine equivalent to five (5) months salary of respondent Casañas would be adequate.

ACCORDINGLY, the Court holds respondent Elizabeth Casañas guilty of misconduct in office consisting of non-performance and inefficiency in the performance of official duties, frequent and unauthorized tardiness and falsification of entries in her daily time records. Respondent Casañas shall pay a FINE equivalent to her five (5) months salary and is WARNED that repetition of the same or similar offenses will be dealt with more severely by this Court. Let a copy of this Resolution be attached to respondent's personal file.

Fernan, C.J., Gutierrez, Jr., Feliciano, Bidin and Cortes, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.