GOPI ADTANI, COMPLAINANT, VS. MARITES MANIO, COURT INTERPRETER, REGIONAL TRIAL COURT, BRANCH 4, TUGUEGARAO CITY, RESPONDENT.

A.M. NO. P-04-1893 (FORMERLY OCA IPI NO. 03-1581-P). July 27, 2007

Ponente: TINGA, J.

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TINGA, J.:

No less than the Constitution itself declares that public office is a public trust, and that public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty, and efficiency, and shall remain accountable to the people.[1] Consistent with this dictum, this Court has consistently reminded court personnel to comply with just contractual obligations, act fairly and adhere to high ethical standards, as they are expected to be paragons of uprightness, fairness and honesty not only in their official conduct but also in their personal actuations, including business and commercial transactions.[2] We again reiterate this reminder through this administrative case.

On 21 February 2003, complainant Gopi Adtani, owner and manager of the New Tuguegarao Bombay Bazaar, wrote the Office of the Court Administrator (OCA) to report the failure of respondent Marites Manio, Court Interpreter III, Regional Trial Court, Branch 4, Tuguegarao City, to settle her debt with complainant.[3] The debt, amounting to P23,000.00, represented the value of pieces of jewelry purchased on credit by respondent from complainant. According to complainant, respondent issued a check[4] in payment of the jewelry but the same, upon presentment, was dishonored because respondent's account had already been closed. Even after complainant's written demand,[5] respondent refused to pay the debt, constraining complainant to report the matter to the OCA.

On 12 March 2003, the OCA required respondent to submit her comment on the complaint.[6] Instead of complying with the OCA's directive, respondent merely wrote the OCA on 1 December 2003 and informed said office that complainant had filed a case against her and that she had asked complainant to give her time to raise the amount of the debt.[7]

Meanwhile, complainant initiated a criminal case for estafa against respondent with the Office of the City Prosecutor.[8] The City Prosecutor referred the case to the Office of the Deputy Ombudsman for Luzon.[9] On 1 December 2003, the Graft Investigation and Prosecution Officer recommended that the case be dismissed and referred to the Supreme Court for appropriate action.[10] The Deputy Ombudsman approved the recommendation.

On 19 July 2004, the OCA submitted its report[11] wherein it recommended that the case be re-docketed as a regular administrative matter and that respondent be reprimanded for her willful failure to pay a just debt with a warning that a repetition of the same or similar offense will warrant the imposition of a more severe penalty.

We agree with the findings and recommendations of the OCA.

Indeed, willful failure to pay just debts is conduct unbecoming of a public employee[12] and is a ground for disciplinary action.[13] It is classified as a light offense, punishable by reprimand for the first commission, suspension for one (1) to thirty (30) days for the second commission, and dismissal for the third commission.[14] "Just debts" is defined as including: (1) claims adjudicated by a court of law; or (2) claims the existence and justness of which are admitted by the debtor.[15]

In the case at bar, the OCA aptly observed that respondent admitted her indebtedness when, in her letter dated 1 December 2003, she asked complainant to give her time to raise the amount to pay the indebtedness. Furthermore, in another letter dated 15 May 2004, respondent informed the OCA that she is willing to pay the debt as soon as she can collect from the person who bought the items from her on installment basis. Thus, respondent's obligation falls under the second category of just debts. Since it appears that this is the first time that respondent had committed an offense of this nature, the appropriate penalty is reprimand.[16]

We also remind respondent that it is the duty of every employee in the Judiciary to obey the orders and processes of the Supreme Court without delay, and accordingly admonish her for her consistent failure to obey the orders of this Court.[17]

IN VIEW OF THE FOREGOING, respondent MARITES MANIO, Court Interpreter, Regional Trial Court, Branch 4, Tuguegarao City, is REPRIMANDED for her willful failure to pay just debts, which amounts to conduct unbecoming a court employee. The commission of the same or similar acts in the future will be dealt with more severely. Respondent is further ADMONISHED to be more diligent in complying with the directives of the Court.

SO ORDERED.

Quisumbing, (Chairperson), Carpio, and Carpio Morales, JJ., concur.
Velasco, Jr., J., no part due to prior action in OCA.

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[1] 1987 Const., Art. XIII, Sec. 1.

[2] See Villaseñor v. De Leon, 447 Phil. 457 (2003).

[3] Rollo, p. 1.

[4] Id. at 2.

[5] Id. at 3.

[6] Id. at 4. This directive was reiterated by the OCA on 7 November 2003 and 11 March 2004. In both communications, the OCA warned respondent that the case will be submitted to this Court without her comment if she fails to file the same within the period indicated in the directive.

[7] Id. at 6.

[8] OMB Case No. TC-00-108. Complainant alleged that respondent's drawing and issuance of a post-dated check without sufficient funds in or credit with the bank, coupled with her intent to defraud through deceitful means, constitute the crime of estafa, defined and penalized under Art. 315, par. 2(d) of the Revised Penal Code, as amended by Presidential Decree No. 818.

[9] The case was docketed as OMB-L-C-03-1121-I.

[10] Citing Dolalas v. Office of the Ombudsman-Mindanao, G.R. No. 118808, 24 December 1996; Sanz Maceda

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v. Vasquez, G.R. No. 102781, 22 April 1993, and Caoibes v. Ombudsman, G.R. No. 132177, 19 July 2001. See rollo, pp. 8-12.

[11] Id. at 35-37.

[12] Martinez v. Muñoz, Adm. Matter No. P-94-1006, 6 October 1995, 249 SCRA 14 .

[13] See REVISED ADMINISTRATIVE CODE, Book V, Title I, Subtitle A, Chapter 7, Sec. 46(b)(22).

[14] See Civil Service Commission Resolution No. 99-1936 (1999), Rule IV, Sec. 52(C)(10).

[15] Id.

[16] Id. Bago v. Feraren, 457 Phil. 363 (2003).

[17] On 22 September 2004, we required the parties to manifest if they are willing to submit this case for resolution on the basis of the pleadings filed within ten (10) days from notice. Respondent failed to comply with this directive. Hence, in our 6 July 2005 Resolution, we required her to show cause why she should not be dealt with or held in contempt for failure to comply with the 22 September 2004 Resolution, and to comply by submitting the said manifestation within ten (10) days from notice. Again, respondent failed to obey. Thus, on 8 February 2006, this Court imposed on respondent a fine in the amount of P1,000.00 and again required her to comply with the 22 September 2004 Resolution by filing the required manifestation. As of 18 September 2006, respondent still has not paid the fine imposed on her nor has she filed the required manifestation. While her failure to pay the fine is excused by the fact that the copy of the 8 February 2006 Resolution meant for respondent was returned unserved, there is no excuse for her failure to submit the required manifestation.

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