

MONICA A. VILLASEÑOR, COMPLAINANT, VS. PATRICIA S.J. DE LEON, CLERK III, RTC-OCC, NAGA CITY, RESPONDENT.

A.M. No. P-03-1685 (OCA IPI 01-1121). March 20, 2003

Ponente: BELLOSILLO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/4713cdcd055b/>

BELLOSILLO, J.:

RESPONDENT PATRICIA S.J. DE LEON, Clerk III, Office of the Clerk of Court, Regional Trial Court, Naga City, borrowed P20,000.00 from complainant Monica A. Villaseñor on 1 November 1996 at five percent (5%) interest per month which she agreed to pay in full once she received her year-end bonus for that year as a court employee. On the agreed date of payment, she failed to settle her indebtedness, and continues to do so despite several demands and years passing; hence, the instant complaint.

It appears that on 3 February 1998 Monica A. Villaseñor filed her complaint against respondent Patricia S.J. de Leon with the Office of the Clerk of Court, Regional Trial Court, Naga City, for “willful failure to pay just debt,” an administrative offense constituting conduct unbecoming of a public official.

In her Letter-Comment of 4 February 1998 respondent admitted the existence of the loan and its terms together with her default in the payment thereof. She also alleged that the proceeds of the loan were divided among employees of the Office of the Clerk of Court, including herself, and those of the Office of the Provincial Prosecutor, but none of them paid his share therein. To resolve the matter, respondent asked for time to clear the entire obligation within April 1998. Apparently, complainant agreed to the extension. Despite the break given her, however, respondent paid only P500.00 and thereafter, ignoring repeated demands, reneged on her commitment and altogether refused to pay the loan.

This prompted complainant Monica A. Villaseñor to file on 13 May 1998 a similar complaint with the Office of the Court Administrator (OCA). On 31 August 1998 the Court Administrator endorsed the complaint to respondent for her comment but the endorsement was not acted upon by her. Three (3) years later or on 29 January 2001, there being no progress still on her complaint, complainant wrote OCA another Letter-Complaint begging for immediate assistance and pleading that she needed the money desperately for her medical check-up and sustenance.

On 14 March 2001 the OCA again endorsed the complaint to respondent who, finally, on 14 June 2001 filed her Letter-Comment. Like her initial comment, she admitted the loan but interposed as defense an alleged payment scheme that began in November 2000. Under the arrangement, complainant was to be paid P1,000.00 per month until the loan and its interests were fully paid.

In the 14 August 2002 Resolution we required complainant to file her reply to respondent’s Letter-Comment within ten (10) days from notice of the order. The Resolution was returned to this Court unserved with the notation “MOVED.” On 9 December 2002 we treated this Resolution as having been served upon complainant by substituted service on the date thereof which was 30 September 2002.

No reply has since been filed by complainant. Hence, the Court considers her to have waived her right to file a reply and to have submitted the case for decision.[1] In any event, since respondent had several times admitted her failure to pay her indebtedness despite complainant's repeated demands, which constitute the elements of the administrative offense, no further investigation is necessary.

"Willful failure to pay just debts" is a light offense punishable by reprimand for the first transgression.[2] A "just debt" applies to "claims the existence and justness of which are admitted by the debtor,"[3] a fact so clearly established in the instant case. On the other hand, the willfulness of respondent's act in not paying her just obligation is conclusively shown by the several years beginning in 1996 that the loan remained unpaid notwithstanding the never-ending appeal for settlement and pleas for humanitarian consideration, the number of letter-complaints that complainant had to file to air her grievance, and the many payment offers promised by respondent. This attitude towards an elderly citizen in poor health reflects not only on respondent's absence of credit-worthiness but more so on her character that is unbecoming of a public employee.[4]

For reasons known only to her, respondent did not state her basis for refusing to pay the acknowledged debt and inflicting unnecessary inconvenience upon complainant. The indebtedness was incurred as early as 1 November 1996 and it was not until April 1998 as a result of the complaint filed with the Acting Clerk of Court that respondent made her first partial payment of P500.00 to the poor lady. When the looming scandal dissipated, she broke her commitment to pay the whole indebtedness within April of 1998. It is clearly unfair to complainant to be treated this way as well as unethical for respondent to renege on her promises.

Respondent alleged that she and complainant had already arranged for another payment scheme that began in November 2000 whereby complainant was being paid the amount of P1,000.00 per month until the loan and its interests were completely satisfied. We doubt however if this allegation is true or that it is being fulfilled faithfully by her. As late as 29 January 2001, complainant was still protesting that respondent was not paying the debt. In any case, even if the agreement be accurate and observed to the letter, the fact remains that respondent backtracked twice on her promise - first, when she promised to pay the loan from her year-end bonus in 1996, and second, when she pledged to satisfy the obligation in April 1998 - enough grounds for us to impose administrative sanction.

As we have observed in *Perez v. Hilario*,[5] the discharge of a court employee's debt does not render the administrative case moot. For, the proceedings are not directed at respondent's private life but at her actuations unbecoming a public employee. Disciplinary actions of this nature do not involve purely private or personal matters. They cannot be made to depend upon the will of the parties nor are we bound by their unilateral act in a matter that involves the Court's constitutional power to discipline its personnel. Otherwise, this power may be put to naught or otherwise undermine the trust character of a public office and the dignity of this Court as a disciplining authority.[6]

While it may be just for an individual to incur indebtedness unrestrained by the fact that he is a public officer or employee, caution should be taken to prevent the occurrence of dubious circumstances that might inevitably impair the image of the public office.[7] In the instant case, we clearly discern some reasonably foreseeable specific connection between respondent's shameful conduct and the injury to the nobility of the service.

As it is, respondent used her compensation as Clerk III of the RTC-OCC as some sort of collateral and inducement so that complainant would lend her the money. And, as she herself admitted, the proceeds of the loan were divided among the staff of the RTC-OCC and the Office of the Provincial Prosecutor, thus involving virtually the entire office in her private transaction. In addition, the loss of man-hours on her part attending to the instant complaint is clearly prejudicial to her efficiency in her job.

It is not also illogical to conclude that respondent's audacity in avoiding payment of the debt sprang from her being an employee of the judiciary, as if she could use her service badge to evade a rightful obligation. Not even the formal complaints filed with the proper disciplining authorities could induce her to undergo a change of heart. We must likewise point out that respondent occupies a sensitive position in the Office of the Clerk of Court. If moved by sinister or ulterior motives arising from the loan morass she found herself in, she could undermine the administration of justice by simply failing to act or by tampering with the record books for a consideration with which to pay her debts. Verily, under this all too possible scenario, respondent can unilaterally imperil the orderly dispensation of justice as a result of her contractual obligations.

Clearly, respondent's willful failure to pay her just debt is unbecoming of a public employee and a ground for disciplinary action against her. Her unethical conduct has diminished the honor and integrity of her office, stained the image of the judiciary and caused unnecessary interference directly or indirectly in the efficient and effective performance of her functions. Certainly, to preserve decency within the judiciary, court personnel must comply with just contractual obligations, act fairly and adhere to high ethical standards. Like all court personnel, respondent is expected to be a paragon of uprightness, fairness and honesty not only in all her official conduct but also in her personal actuations, including business and commercial transactions, so as to avoid becoming her court's albatross of infamy.

At all times, respondent should avoid situations which tend to arouse suspicion that she is utilizing her official position for personal gain or advantage to the prejudice of the public. We need not exaggerate the importance of being absolutely free from any doubt that relations with others constitute an element in the determination of a pending case. Such distrust gratuitously erodes the faith and confidence of the people in the dispensation of justice. As the Constitution categorically declares, "[p]ublic office is a public trust. Public officers and employees shall serve with the highest degree of responsibility, integrity, loyalty and efficiency, and shall remain accountable to the people."^[8]

Truly, this Court is not a collection agency for faltering debtors.^[9] Hence, in a disciplinary proceeding, we cannot adjudicate on the existence and amount of the loan if such facts are disputed by the parties.^[10] At the same time, it is not proper in these proceedings to issue writs of execution or order the levy of respondent's properties, including her salaries to satisfy the indebtedness. For, the purpose of an administrative proceeding is to protect public service and maintain its dignity based on the time-honored principle that a public office is a public trust. Evidently, disciplinary cases involve no private interest and afford no redress for private grievance, as they are undertaken and prosecuted solely for the public welfare. The complainant or the person who calls the attention of the court to the alleged misconduct is in no sense a party, and has generally no interest in the outcome except as all good citizens may have in the proper management of justice.^[11]

Consistent with the realm of an administrative case, we are dutybound to correct whatever we perceive as an improper conduct among court employees by ordering them to do what is proper in the premises. In the instant case, therefore, we direct respondent to pay her indebtedness to complainant, i.e., inclusive of principal and interest agreed upon, in accordance with their agreement, if any, or within a reasonable time from receipt of this Decision.^[12] A violation of this order could become the basis of another administrative charge for a second offense of "willful failure to pay just debts" punishable by suspension of one (1) to thirty (30) days, among other serious charges arising from a willful violation of a lawful order of this Court. With this command, we hope that respondent will stay away from such misdeed and shun a subsequent offense of the same nature, or any other offense for that matter.

The payment of respondent's debt is in addition to the penalty of reprimand with warning that commission of the same or similar act in the future will be dealt with more severely. This ruling should suffice to accomplish the

purpose of disciplining an erring court employee to whom a passage in the Book of Proverbs must have a reverberating significance, “A single reprimand does more for a man of intelligence than a hundred lashes for a fool.”

WHEREFORE, respondent PATRICIA S.J. DE LEON, Clerk III, Regional Trial Court, Office of the Clerk of Court of Naga City, is REPRIMANDED for “Willful Failure to Pay Just Debts,” which amounts to conduct unbecoming an employee of the court. Furthermore, she is directed to pay complainant Monica A. Villaseñor or her heirs or assigns, as the case may be, the whole amount of her indebtedness, which originally stood at P20,000.00, i.e., inclusive of principal and interest agreed upon, less previous payments thereon, in accordance with the agreement between respondent and complainant, if one has been stipulated in the meantime, or if none has been reached, within ninety (90) days from receipt of this Decision. A commission of the same or similar acts in the future, including a violation of this Decision, will be dealt with more severely.

SO ORDERED.

Mendoza, Quisumbing, Austria-Martinez and Callejo, Sr., JJ., concur.

[1] Nawan Community Rural Bank v. Martinez, A.M. No. P-02-1587, 5 June 2002.

[2] Section 52 of the Uniform Rules on Administrative Cases in the Civil Service (Resolution No. 99-1936).

[3] Ibid.

[4] Garciano v. Oyao, A.M. No. P-208, 27 January 1981, 102 SCRA 195.

[5] A.M. No. P-02-1603, 23 July 2002.

[6] Arañes v. Occiano, A.M. No. MTJ-02-1390, 11 April 2002.

[7] Ibid.

[8] Art. XIII, Sec. 1.

[9] Martinez v. Muñoz, A.M. No. P-94-1006, 6 October 1995, 249 SCRA 14; Taboada v. Cabrera, A.M. No. 980-CTJ, 16 August 1977, 78 SCRA 105.

[10] De Guzman v. Burce, A.M. No. P-01-1460, 28 February 2002.

[11] Tajan v. Hon. Vicente Cusi, Jr., No. L- 28899, 30 May 1974, 57 SCRA 154.

[12] Mariano v. Roxas, A.M. No. CA-02-14-P, 31 July 2002, citing Lim v. Judge Demetrio D. Calimag, Jr., Adm. Matter No. RTJ-99-1517, February 26, 2002; Garciano v. Oyao, 102 SCRA 195 (1981); Manalo v. Demaala, 104 SCRA 30 (1981); and Fabrigas v. Nemeño, 146 SCRA 61 (1986).

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.