

ATTY. LELU P. CONTRERAS, COMPLAINANT, VS. SALVADOR C. MIRANDO, RESPONDENT.

A.M. No. P-96-1189. October 16, 1997

Ponente: BELLOSILLO, J.

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BELLOSILLO, J.:

Former Clerk of Court Crescencio L. Cortes Jr. of the Regional Trial Court of Iriga City, Br. 34, repeatedly called attention to the irresponsibility of respondent Salvador C. Mirando in handling his job as Clerk III in the same office through several memoranda which apparently fell on deaf ears. Atty. Cortes Jr. was therefore constrained to file his letter-complaint^[1] of 29 October 1993 charging respondent with gross inefficiency and unexplained absences and tardiness. The letter-complaint however was held in the suspense files after respondent promised several times to mend his ways and perform his job properly.

But respondent reneged on his promises. He reverted to his old ways after only two (2) weeks of good behavior. Atty. Lelu P. Contreras, herein complainant, who succeeded Atty. Crescencio L. Cortes Jr. as the current immediate supervisor of respondent, conferred with him and reminded him of the nature of his responsibilities but the efforts of complainant proved futile. Hence, respondent was administratively charged in a sworn-letter complaint dated 16 November 1995^[2] with (a) conduct prejudicial to the best interest of the service; (b) gross neglect of duty; (c) refusal to perform official duty; (d) inefficiency and incompetence in the performance of official duties; (e) frequent absences or tardiness; (f) failure to act promptly on letters and requests within fifteen (15) days from receipt; and, (g) failure to process documents and complete action on documents and papers within a reasonable time from preparation thereof. Complainant averred that respondent's work attitude was so incorrigible and widespread, penetrating the very core of his being, that no amount of "sweet talk" or stringent measures could resuscitate him.

Atty. Contreras specifically charged respondent Mirando with frequent unexplained absences, reporting to work drunk, documents, papers and transmittals requiring his immediate attention were left unacted upon, and asking money from litigants in exchange for small favors.

In his Comment,^[3] respondent denied any knowledge of the accusations against him. He claimed instead that, on the contrary, he performed his duties and responsibilities religiously and regularly.

Thus he prayed for the dismissal of the administrative case filed against him.

When this case was referred to Judge Reno R. Gonzales for investigation, report and recommendation, respondent manifested his admission and acceptance of the charges filed against him. At the same time, he asked for clemency and promised not to commit the same or similar acts again. Judge Gonzales therefore recommended the penalty of fine equivalent to respondent's two (2) months salary with a warning that repetition of the same or similar acts would be dealt with more severely.

There is no dispute that respondent was remiss in his official duties as he had precisely admitted this fact before

Judge Gonzales. Administration of justice is a sacred task. It demands the highest degree of efficiency, dedication and professionalism. Respondent must be reminded of the State policy in promoting the highest standard of ethics in public service which is embedded in specific legal obligations. Public officials and employees are at all times accountable to the people. Hence they shall discharge their duties with utmost responsibility, integrity, competence and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest.[4] They shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.[5]

These unsettling times have witnessed the judiciary as the target of strong criticisms, and at times even vile innuendoes and imputations. Although they remain unproved, false and unfounded, to a certain extent this cacophony has sullied the reputation and integrity of the institution and compromised the moral ascendancy of its members. It is therefore incumbent upon every member of the judiciary family to work hand in hand in restoring and upholding, rather than destroying, the integrity of the courts to which they belong.

We are gratified to know that since the filing of this administrative complaint there has been a marked improvement in respondent's performance of his official duties and responsibilities. We trust that this change was not brought about more by fear of any sanction which the filing of this case might bring him but rather by a genuine realization by respondent of the significance of his office, the role he plays, the responsibility he assumes and the burden of trust reposed in him.

WHEREFORE, for neglect of duty, respondent Salvador C. Miranda Jr. is FINED P5,000.00 to be paid in ten (10) equal monthly installments of P500.00 each with a WARNING that repetition of the same or similar act will be dealt with more severely.

SO ORDERED.

Davide, Jr., (Chairman), Vitug, Kapunan, and Hermosisima, Jr., JJ., concur.

[1] Rollo, p. 7.

[2] Id., p. 2.

[3] Id., p. 22.

[4] Sec. 2, RA 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees.

[5] Sec. 4 (B), id.

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