

OCA CIRCULAR NO. 35-2005, April 12, 2005

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TO:

ALL EXECUTIVE JUDGES AND CLERKS OF COURT IN THE OCC OF MULTI-SALA STATIONS, AND
PRESIDING JUDGES AND BRANCH CLERKS OF COURT IN SINGLE SALA STATIONS

RE:

CUSTODY AND SAFEKEEPING OF BUNDY CLOCKS

The Office of the Court Administrator has been receiving reports that there are lower court employees who deliberately destroy or tamper with bundy clocks issued to their respective stations. Being the custodian of the bundy clocks issued to your respective courts, you are hereby reminded that it is your duty to ensure the safekeeping thereof. These equipment form part of the government's properties and should therefore be used in a judicious manner. (Sec. 5, Canon I, Code of Conduct for Court Personnel.)

We also call your attention to the provisions of Article III, Sec. 506 of the National Accounting and Auditing Manual, to wit:

"Article III— Custodianship of Property.

"Sec. 506. Persons primarily and secondarily accountable for government property — Heads of bureaus and offices of the national government are immediately and primarily accountable for all government property pertaining to their bureau or office. Persons entrusted with the possession or custody of government property under these officers shall be immediately accountable to them, without prejudice to the liability of either party to the government.

"Every officer accountable for property shall be liable for its money value in case of the improper unauthorized use, or misapplication thereof, by himself or any person for whose acts he may be responsible; and generally, he shall be liable for all loss, damage, or deterioration occasioned by negligence in the keeping or use of such property, whether it be at the time of his actual custody or not."

In multiple sala courts, the executive judges are the administrative heads of their respective stations while the clerks of court in the OCC are the custodians of all bundy clocks. In single sala stations, the presiding judges and their branch clerks of court act as the custodian of these properties. As such, they are hereby enjoined to perform all acts and take all the appropriate and necessary precautions to safeguard the bundy clocks within their respective administrative areas of supervision.

Finally, the blatant and deliberate act of destroying bundy clocks constitutes grave misconduct, and the court shall not hesitate to impose the appropriate administrative sanctions on and to file criminal charges against those who

destroy or tamper with these clocks. In the case of Judge Salvador G. Cajot vs. Ma. Thelma Josephine V. Cledera, A.M. No. P-98-1262, the Court unanimously resolved to DISMISS Ms. Cledera from the service for destroying the bundy clock in her place of work, and forfeited all her benefits as well as banned her re-employment in the government including government owned or controlled corporations.

FOR STRICT COMPLIANCE

__12__ day of April 2005, Manila.

PRESBITERO J. VELASCO, JR.

Court Administrator

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