

**RE: DROPPING FROM THE ROLLS OF MS. LOLITA B. BATADLAN,
COURT STENOGRAPHER III, REGIONAL TRIAL COURT OF
SURALLAH, SOUTH COTABATO, BRANCH 26.**

A.M. NO. 06-2-125-RTC. April 13, 2007

Ponente: CORONA, J.

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CORONA, J.:

Judge Roberto L. Ayco, presiding judge of the Regional Trial Court of Surallah, South Cotabato, Branch 26, referred to the Office of the Court Administrator (OCA) the case of Ms. Lolita B. Batadlan, court stenographer III, whose performance was rated as "unsatisfactory" for two consecutive periods.[1] His recommendation was to drop Batadlan from the rolls.[2]

On January 27, 2005, Batadlan was notified in writing by her supervisor/rater[3] of her unsatisfactory performance rating for the period July to December 2004.[4] She was warned that her failure to improve her performance for the succeeding semester (January to June 2005) would warrant her separation from the service. She was also required to explain in writing why she performed poorly. Despite the notice, however, Batadlan failed not only to submit a written explanation but also to show improvement in her work in the subsequent semester. Thus, Judge Ayco's recommendation to drop Batadlan from the rolls.

In its memorandum dated February 3, 2006, the OCA sustained the report of Judge Ayco on Batadlan's unsatisfactory ratings. It also reported that Batadlan's work was actually rated "unsatisfactory" for three consecutive periods (not just two) as she was also given an unsatisfactory rating for the first semester of 2004 (January to June 2004). For this reason, the OCA adopted the recommendation of Judge Ayco that Batadlan be dropped from the rolls and her position declared vacant.

We agree.

Rule XII, Section 2.2 of the Omnibus Rules on Appointments and Personnel Actions[5] provides:

2.2 Unsatisfactory or Poor Performance.

(a) An official or employee who is given two (2) consecutive unsatisfactory ratings may be dropped from the rolls after due notice. Notice shall mean that the officer or employee concerned is informed in writing of his unsatisfactory performance for a semester and is sufficiently warned that a succeeding unsatisfactory performance shall warrant his separation from the service. Such notice shall be given not later than 30 days from the end of the semester and shall contain sufficient information which shall enable the employee to prepare an explanation. (emphasis supplied)

Despite the notice and warning regarding her performance, Batadlan's work continued to be unsatisfactory.

Public accountability essentially includes discharging one's duties as a public officer with utmost responsibility, integrity, competence, loyalty and efficiency. Incompetence and inefficiency have no place in the public service, specially in the dispensation of justice.

WHEREFORE, Ms. Lolita B. Batadlan, court stenographer III in Branch 26 of the Regional Trial Court of Surallah, South Cotabato, is hereby DROPPED from the rolls and her position declared VACANT.

SO ORDERED.

Puno, C.J., (Chairperson), Sandoval-Gutierrez, Azcuna, and Garcia, JJ., concur.

[1] July to December 2004 and January to June 2005. This was, in effect, a continuous period of 12 months.

[2] Letter dated November 24, 2005.

[3] Atty. Miguel G. Jamorabon, Jr., Clerk of Court, Regional Trial Court of Surallah, South Cotabato, Branch 26.

[4] Her rating was based on her delay in transcribing stenographic notes and her failure to transcribe notes properly (her transcripts were riddled with errors and were difficult to understand).

[5] Civil Service Commission Memorandum Circular No. 40, s. 1998.

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