

IONE BTHELDA C. RAMOS, COMPLAINANT, V. REBA A. BELIGOLO, COURT STENOGRAPHER III OF THE MUNICIPAL TRIAL COURT IN CITIES, MALAYBALAY CITY, BUKIDNON, RESPONDENT.

A.M. No. P-19-3919 (formerly OCA IPI No. 11-3630-P). April 02, 2019

Ponente: PERLAS-BERNABE, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a9465208e34e/>

PERLAS-BERNABE, J.:

For the Court's resolution is a Complaint[1] dated March 21, 2011 filed by complainant Ione Bethelda C. Ramos (Ramos) charging respondent Reba A. Beligolo (Beligolo), Court Stenographer III, Municipal Trial Court in Cities, Malaybalay City, Bukidnon (MTCC) with Grave Misconduct and Conduct Unbecoming of a Court Employee.

The Facts

Ramos was the attorney-in-fact of Rogelio Tamin, the plaintiff in the unlawful detainer case entitled "Rogelio E. Tamin, represented by Attorney-in-Fact Ione Bethelda C. Ramos v. Bernadeth Lavina and Mildred Lavina," docketed as Civil Case No. 2185, pending before the MTCC. On February 25, 2011, then Acting Presiding Judge Mariflo S. Agreda (Judge Agreda) issued an order in open court directing the parties in the said civil case to appear before the Philippine Mediation Center (PMC) on March 17, 2011, and to obtain an order of referral from the court prior to their appearance.[2] Pursuant to the said directive, Ramos made several follow-ups to the court for the issuance of the same, but to no avail.[3]

Two (2) days before the scheduled mediation, or on March 15, 2011, Ramos visited the court once more, to secure the said order. Upon her inquiry, the clerk of court looked for the records of the case then inquired about it from Beligolo, who "sarcastically answered that she was not able to make the [o]rder of [r]eferral." [4] The clerk of court then informed Ramos that the order could not be signed since Judge Agreda was not scheduled to report for work that day. Ramos alleged that while the clerk of court was talking, Beligolo "suddenly interrupted in an unruly and highly combative tone" and remarked, "[w]ell, they 'd better appear before the PMC because if they won't, that is their problem." Thereafter, Beligolo got into an argument with the clerk of court. Ramos averred that she kept her cool, but Beligolo kept making unsavory and offensive remarks. Ramos added that due to Beligolo's negligence, the parties were not able to appear before the PMC on the scheduled date.[5]

In her Answer,[6] Beligolo admitted that Judge Agreda instructed the parties to follow-up the order of referral from the court.[7] She contended, however, that there was an internal agreement in their office that "the [c]lerk of [c]ourt may issue the order of referral" or delegate the task to other court employees while the stenographers are still attending the hearings. Hence, Beligolo wondered why the clerk of court did not issue the order of referral to the parties while Judge Agreda was in session so as to solve the problem early on.[8] Beligolo also averred that Ramos neither asked nor approached her about the subject order. She claimed that she honestly believed that the order of referral had already been given to the parties based on her assumption that the task had been delegated to and accomplished by another court employee to avoid delay.[9] Nevertheless, she pointed out that an Order of

Referral[10] dated March 24, 2011 was eventually issued to the parties. This notwithstanding, the mediation before the PMC was unsuccessful.[11]

Beligolo narrated that when she was summoned by the city mayor after Ramos had reported the incident to him, she had already asked for forgiveness, but the latter still filed several complaints against her before the Office of Court Administrator (OCA), the City Prosecutor's Office, and the Civil Service Commission.[12]

The OCA's Report and Recommendation

In a Report[13] dated October 23, 2018, the OCA recommended that Beligolo be held administratively liable for Simple Neglect of Duty, and accordingly, be fined in the amount of P10,000.00, with a stern warning that a repetition of the same offense shall be dealt with more severely.[14]

The OCA found that Beligolo's failure to prepare the Order of Referral constituted Simple Neglect of Duty. It noted that Beligolo did not deny that the preparation of such document was her task, and thus, it was imprudent of her to assume that another court employee had already accomplished it. Due to her inattention, the mediation proceedings was rescheduled to the prejudice of the parties.[15]

The OCA clarified that Beligolo's act did not constitute Grave Misconduct because her transgression was neither unlawful nor in gross negligence of duty nor tainted with corruption or willful intent to violate the law or to disregard established rules. It likewise found that the imputation of conduct unbecoming of a court employee must fail because no evidence was presented to prove Ramos's assertion that Beligolo exhibited irate, sarcastic, and disrespectful behavior.[16]

In recommending the penalty to be imposed, the OCA pointed out that Beligolo had previously been found guilty of Simple Neglect of Duty in A.M. No. P-13-3154[17] and had been ordered to pay a fine of P5,000.00. The penalty for a second offense of simple neglect of duty is dismissal from service. However, the OCA recommended that the penalty be mitigated and a fine be imposed instead, absent any showing that Beligolo committed the infraction in bad faith or with fraud.[18]

The Issue Before the Court

The issue before the Court is whether or not Beligolo should be held administratively liable for simple neglect of duty.

The Court's Ruling

The Court adopts the findings and the recommendation of the OCA except as to the recommended penalty.

Preliminarily, records show that no evidence was presented to support Ramos's allegation as regards Beligolo's irate, sarcastic, and disrespectful behavior to render her liable for Conduct Unbecoming of a Court Employee. Nevertheless, she is administratively liable for failing to prepare the Order of Referral in Civil Case No. 2185.

Section 1, Canon IV of the Code of Conduct for Court Personnel[19] mandates that "[c]ourt personnel shall at all times perform official duties properly and with diligence." The Court has repeatedly emphasized that the "[t]he conduct of every person connected with the administration of justice, from the presiding judge to the lowliest clerk, is circumscribed with a heavy burden of responsibility. All public officers are accountable to the people at all times and must perform their duties and responsibilities with utmost efficiency and competence." [20] "Any task given to an employee of the judiciary, however menial it may be, must be done in the most prompt and diligent way." [21]

In the case at bar, Beligolo does not dispute that it was her task to prepare the Order of Referral and that she failed

to perform the same. As such, she should be held administratively liable for Simple Neglect of Duty, which is defined as the failure of an employee to give proper attention to a required task or to discharge a duty due to carelessness or indifference.[22] Notably, this conclusion holds true despite the fact that the parties eventually obtained the requisite Order of Referral to the PMC and underwent mediation albeit unsuccessfully.

Under the Uniform Rules on Administrative Cases in the Civil Service,[23] Simple Neglect of Duty is a less grave offense punishable by suspension or a period of one (1) month and one (1) day to six (6) months for the first offense, and dismissal from service for the second offense. Since Beligolo had previously been found administratively liable for Simple Neglect of Duty in A.M. No. P-13-3154[24] for her failure to submit stenographic notes within the prescribed period, the penalty of dismissal from service appears to be warranted.

Nevertheless, while the Court is duty-bound to sternly wield a corrective hand to discipline its errant employees and weed out those who are undesirable, it also has the discretion to temper the harshness of its judgment with mercy.[25] Thus, in *Re: Illegal and Unauthorized Digging and Excavation Activities inside the Supreme Court Compound, Baguio City*,[26] wherein a Court employee was found liable for Simple Neglect of Duty for the second time, the Court penalized him with suspension for a period of two (2) years without pay instead of dismissal from service, considering his long years of service in the Judiciary.[27] Similarly, the Court, in this case, finds it proper to temper the penalty to be imposed on Beligolo in view of her service in the judiciary for almost fifteen (15) years,[28] and thereby suspends her instead for a period of two (2) years without pay, with warning against the commission of the same or similar offense.

As a final note, it bears stressing that "[p]ublic officers must be accountable to the people at all times and serve them with the utmost degree of responsibility and efficiency. Any act which falls short of the exacting standards for public office, especially on the part of those expected to preserve the image of the judiciary, shall not be countenanced. It is the imperative and sacred duty of each and everyone in the court to maintain its good name and standing as a true temple of justice." [29]

WHEREFORE, respondent Reba A. Beligolo (Beligolo), Court Stenographer III, Municipal Trial Court in Cities, Malaybalay City, Bukidnon, is found GUILTY of Simple Neglect of Duty, and is therefore, SUSPENDED for a period of two (2) years without pay. She is WARNED that a repetition of the same offense or similar acts in the future shall be dealt with more severely.

Let a copy of this Resolution be attached to the personal record of Beligolo.

SO ORDERED.

Bersamin (C.J.), Carpio, Peralta, Del Castillo, Leonen, Caguioa, A. Reyes, Jr., Gesmundo, Carandang, and Lazaro-Javier, JJ., concur.

Jardeleza, and J. Reyes, Jr., JJ., on official leave.

Hernando, J., on leave.

[1] Rollo, pp. 2-3.

[2] See *id.* at 2. See also *id.* at 36.

[3] *Id.*

[4] *Id.*

[5] *Id.* at 2-3. See also *id.* at 36-37.

[6] Dated August 3, 2011; id. at 5-14.

[7] See id. at 6.

[8] See id.

[9] Id. at 6-7.

[10] Id. at 29. Signed by Acting Presiding Judge Mariflo S. Agreda.

[11] See id. at 11.

[12] See id. at 8.

[13] Id. at 36-41. Signed by Court Administrator Jose Midas P. Marquez and Deputy Court Administrator Jenny Lind R. Aldecoa-Delorino.

[14] Id. at 40-41.

[15] Id. at 39.

[16] Id. at 38-39.

[17] See Gamolo, Jr. v. Beligolo, A.M. No. P-13-3154 (Formerly OCA IPI No. 10-3470-P), March 7, 2018.

[18] Rollo, pp. 40-41.

[19] A.M. No. 03-06-13-SC (June 1, 2004).

[20] Baguio v. Lacuna, A.M. No. P-17-3709, June 19, 2017, 827 SCRA 195, 202-203, citing Seangio v. Parce, 553 Phil. 697, 709-710 (2007).

[21] Re: Report of Atty. Pabello, Chief of Office, Office of Administrative Services-OCA, 763 Phil 196, 203 (2015), citing Contreras v. Monge, 617 Phil. 30, 35 (2009).

[22] See OCA v. Viesca, 758 Phil. 16, 26 (2015).

[23] CSC Resolution No. 99-1936 (August 31, 1999).

[24] Supra note 17.

[25] Cabigao v. Nery, 719 Phil. 475, 484 (2013); citation omitted.

[26] A.M. Nos. 2016-03-SC and 16-06-07-SC, February 21, 2017, 818 SCRA 185.

[27] See id. at 195-196.

[28] Rollo, p. 10.

[29] See OCA v. Saguyod, A.M. No. P-17-3705, February 6, 2018; citation omitted.

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.