CYNTHIA B. CARTILLA, CLERK OF COURT III, COMPLAINANT, VS. PRESIDING JUDGE THELMA N. DELOS SANTOS, BOTH FROM THE MUNICIPAL TRIAL COURT, DALAGUETE, CEBU, RESPONDENT.

OCA IPI No. 16-2848-MTJ, A.M. No. MTJ-19-1929, OCA IPI No. 18-2963-MTJ, OCA IPI No. 19-3067-MTJ, A.M. No. P-19-4008 & OCA IPI No. 16-4615-P, November 11, 2025

Ponente: DIMAAMPAO, J.

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DIMAAMPAO, J.:

These six consolidated cases arising from the Municipal Trial Court of Dalaguete, Cebu (MTC Dalaguete) unfold against the backdrop of a protracted conflict between Presiding Judge Thelma N. Delos Santos (Judge Delos Santos) and two of her court personnel—Clerk of Court Cynthia B. Cartilla (Cartilla) and Junior Process Server Michael Nino C. Olivar (Olivar).

OCA IPI No. 16-2848-MTJ and A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]

In her Affidavit-Complaint,[1] Cartilla charged Judge Delos Santos with administrative violations against the New Code of Judicial Conduct for the Philippine Judiciary[2] for committing the following acts constituting grave misconduct, grave dishonesty, and acts prejudicial to the interest of the Judiciary:

1)

Sometime in December 2015, Judge Delos Santos directed one of her staff to solicit two lechons from the Office of the Mayor of Dalaguete, Cebu intended for the office Christmas party.[3]

2)

Judge Delos Santos spent the night at a resort in Siquijor with employees of Upland Rural Bank of Dalaguete, Cebu, which has several cases pending before her court.[4] Additionally, she accepted gifts from said individuals.[5]

3)

Judge Delos Santos notarized several documents despite the availability of a notary public commissioned in her jurisdiction.[6] These documents included a deed of absolute sale executed by her sister.[7]

4)

Judge Delos Santos has been utilizing court personnel and the resources of her chambers to attend to personal errands.[8]

5)

She verbally abused her staff, including Olivar, a person with disability, whom she insulted, humiliated, and prohibited from using the office comfort room.[9]

6)

On multiple occasions, Judge Delos Santos uttered unsavory remarks about other people,[10] even going as far as challenging Cartilla to a fist fight while inside the courtroom.[11] Judge Delos Santos was also reported to have shouted at Akihiko Watanabe at his residence, challenged him to a fight, and boasted of her position as a judge.[12]

7)

Judge Delos Santos gravely abused her authority by ordering the imprisonment of Olivar on two separate occasions for contempt, supposedly due to their personal conflict.[13]

8)

Judge Delos Santos refused to attend the seminar on "Case Carrying Capacity of Lower Court Judges" spearheaded by the Office of the Court Administrator, choosing instead to solemnize three marriages on the scheduled date.[14] Cartilla likewise averred that Judge Delos Santos had been previously admonished by this Court in OCA IPI No. 03-1387-MTJ for her refusal to furnish Dr. Edwin B. Fonghe with certified true copies of certain documents.[15]

Meanwhile, in his Letter-Complaint,[16] Olivar charged Judge Delos Santos with maltreatment and abuse of authority, imputing upon her the following acts:

1)

Prodding him to apply for the job and warned him not to reveal that they were relatives;[17]

2)

Directing him to perform personal errands during office hours and on weekends;[18]

3)

Engaging in the business of lending with interest;[19]

4)

Notarizing several documents despite the availability of a notary public commissioned in her area of jurisdiction;[20]

5)

Maintaining other sources of income, i.e., including operating a lending business and leasing out a commercial space, which she failed to declare to the Bureau of Internal Revenue.[21]

6)

Receiving money for marriages where she acted as the solemnizing officer;[22] and

7)

Slapping Olivar in the face, transferring his workstation outside the office, repeatedly threatening to kill him, issuing an unsatisfactory performance rating with the apparent intent to remove him from service, citing him for contempt on multiple occasions, having him arrested without justifiable cause, making defamatory remarks against him, and coercing him to submit his resignation.[23]

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Judge Delos Santos filed separate comments in response to the foregoing allegations.[24] She maintained that Cartilla and Olivar were guilty of forum shopping, asserting that they had previously commenced similar actions against her before the Performance Evaluation Review Committee in the Lower Courts (PERC-LC), Argao, Cebu and the Grievance Committee.[25] She added that Cartilla also made counter-charges against her in the complaint docketed as OCA IPI No. 16-4548-P.[26]

Moreover, Judge Delos Santos claimed that the filing of the complaints was motivated by the unsatisfactory performance ratings she gave to Cartilla and Olivar, whom she described as defiant, arrogant, and unwilling to submit to authority.[27] Judge Delos Santos further characterized the complaints as retaliatory as these were filed in response to the administrative cases she had earlier initiated against them.[28]

In refuting the allegations against her, Judge Delos Santos—

1)

Admitted to have spent the night with employees of Upland Rural Bank at a Siquijor resort but claimed that the bank had no pending cases with her at the time, that it was an outing with friends, and that she financed her own stay;[29]

2)

Admitted to having notarized documents in her area but explained that the same was done at a time when the sole practicing notary public was absent;[30]

3)

Admitted to having notarized the deed of absolute sale in favor of her sister but sought forgiveness therefor;[31]

4)

Acknowledged having assigned personal errands to some of her staff, including Olivar but claimed that these tasks were carried out during break periods, were brief in nature, and occurred infrequently.[32]

5)

Denied making any snide remarks about the individuals named by Cartilla, asserting that such allegations were entirely fabricated;[33]

6)

Denied being abusive towards Olivar;[34]

7)

Explained that she received the notice on the seminar on "Case Carrying Capacity of Lower Court Judges" only two days prior to the scheduled date, leaving her insufficient time to inform the parties who had arranged to be married before her court;[35] and

8)

Denied involvement in any lending business, having other sources of income, or receiving payments from individuals whose marriages she solemnized.[36]

Finally, Judge Delos Santos maintained that Cartilla was likewise previously punished by this Court in A.M. No. P-05-1987 and was ordered to pay a fine in the amount of PHP 3,000.00 for the delay in the transmittal of the

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records of a case to the appellate court.[37]

In a Resolution, the Court initially resolved to consolidate Cartilla's verified complaint with OCA IPI No. 16-4548-P, a case initiated by Judge Delos Santos against Cartilla, and referred the matters for joint investigation.[38] However, this Resolution was later recalled, and the two cases were de-consolidated.[39] Moreover, Executive Judge Francis Rainier R. Navarrete (Judge Navarrete) was directed to proceed with the investigation, report and recommendation for both cases.[40]

Recommendation of the Investigating Judge

In due course, Judge Navarrete submitted his Investigation, Report and Recommendation[41] finding substantial evidence to hold Judge Delos Santos liable for two offenses: (1) unauthorized notarization of private documents;[42] and (2) intemperate language, failing to exercise restraint, prioritizing another engagement over an official seminar, and for her overall actuations which exacerbated the conflict in her office.[43] Accordingly, Judge Navarrete recommended that Judge Delos Santos be meted a fine equivalent to her one month salary for her unauthorized notarization of private documents, and another fine in the amount of PHP 20,000.00 for her intemperate language and lack of restraint, with admonition and warning against future infractions.[44]

OCA Recommendation

After evaluating the parties' respective positions, the Office of the Court Administrator (OCA) issued separate memoranda for the complaints filed by Cartilla[45] and Olivar.[46]

In the memorandum concerning Cartilla's Complaint, the OCA agreed with the finding that Judge Delos Santos violated Supreme Court Circular No. 1-90,[47] which prohibits first-level court judges from notarizing private documents unrelated to their judicial duties.[48] By way of exception, Circular No. 1-90 provides that a municipal trial court judge may perform any act within the competency of a regular notary public, provided a certification attesting to the lack of any lawyer or notary public in such municipality is made.[49]

Judge Delos Santos was found to have breached Circular No. 1-90 in two ways: first, by notarizing 11 private documents unrelated to her official duties as presiding judge; and second, by failing to execute a certification attesting to the lack of a notary public in Dalaguete, Cebu.[50] The allegations were supported by copies of the notarized documents submitted into evidence, along with Judge Delos Santos's own admission during the hearing that she had notarized them.[51] Her defense—that she acted in good faith and was merely following the precedent set by her predecessor—was ultimately rejected by the OCA.[52]

The OCA likewise determined that Judge Delos Santos should be held liable for her unprofessional behavior in dealing with her staff and her failure to maintain order and decorum in the courtroom.[53] Instead of exercising restraint, she actively participated in her ongoing dispute with Cartilla and Olivar.[54]

In this regard, and taking into account Judge Delos Santos's previous reprimand in OCA IPI No. 16-2843-MTJ and admonition in OCA IPI No. 3-31-03, the OCA recommended that she be found guilty of gross ignorance of the law and meted with the penalty of suspension from office without salary and other benefits for four months.[55] It was likewise recommended that she be held liable for impropriety and fined in the amount of PHP 10,000.00.[56]

Anent Olivar's Complaint, the OCA concurred with Judge Navarrete that the charges of corruption and nepotism against Judge Delos Santos remained unsubstantiated.[57] Meanwhile, questions concerning the propriety of the unsatisfactory performance rating she issued, as well as her contempt order, are currently under review. One is on appeal before the PERC-LC, and the other is the subject of a pending petition for certiorari.[58]

However, contrary to the findings of Judge Navarrete, the OCA recommended that Judge Delos Santos be held

administratively liable for engaging in a business venture without disclosing her interest.[59] Her bare denial was undermined by the documentary evidence she herself presented, which indicated that she had extended loans with interest to certain individuals.[60] On this score, the OCA recommended that she be found guilty of impropriety and fined in the amount of PHP 20,000.00.[61]

A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P]

This administrative matter arose from a verified Letter-Complaint[62] filed by Judge Delos Santos against Cartilla.

Judge Delos Santos asserted that Cartilla should be held liable for insubordination and dishonesty, having repeatedly defied various Supreme Court circulars and orders regarding the conduct of an accountable officer of the court, which undermined the integrity of the court and were thus prejudicial to the interest of the service. The specific acts attributed to Cartilla were—

1)

She frequently traveled to Cebu City and claimed reimbursement and per diems for each trip yet failed to deposit or remit all her court collections.

2)

Despite being instructed to deposit all cash collections on the last working day of the month, she did not comply and instead, continued reporting undeposited funds as cash on hand until she was advised by the auditor to follow the proper procedure.

3)

She took advantage of her position by soliciting money from Peter Gorrisen (Gorrisen), a bondsman who posted bail for Willem Hathoom, an accused in a criminal case, then pending before Judge Delos Santos's court.

4)

On November 23, 2015, Judge Delos Santos received a letter from Atty. Gilda A. Sum po, OCA chief judicial staff officer, Accounting Division, informing her that Cartilla had not submitted the Sheriff's Trust Fund (STF) Report for June 2015. Upon verification, Judge Delos Santos further discovered that Cartilla had received PHP 18,300.00 in STF deposits since 2005 but failed to issue receipts, report the collections or deposit the funds, only doing so after being ordered to produce and deposit the amount.

5)

In July 2015, the counsel for the accused in People v. Felix Magallanes, et al. angrily reported that Cartilla had withdrawn the bail posted by the accused, despite it having been ordered canceled and returned, yet she refused to return the funds. Judge Delos Santos intervened and found that Cartilla had wrongly applied the money as bail for another case involving the same accused, which case had not yet been officially filed in court When Cartilla could not produce the money upon demand, she issued an official receipt showing that the bail was used for the other case. Judge Delos Santos admonished Cartilla for acting without court authorization, suspecting that she issued the official receipt in advance to buy time for securing the funds.

6)

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She disregarded the verbal directive of Judge Delos Santos to transfer the MTC's Land Bank account from its Carcar, Cebu branch to its Dalaguete branch.

7)

She ignored Judge Delos Santos's instruction to promptly relocate her belongings and report for work at the new Hall of Justice in Dalaguete, Cebu.

8)

She failed to submit the MTC's monthly report on time, leading to the disapproval of Judge Delos Santos's application for overseas travel.

9)

She arranged the solemnization of marriage between the daughter of a certain Zenas and a foreign national in MTC Minglanilla, Cebu, in return for a fee of PHP 20,000.00.[63]

Cartilla denied the allegations and claimed that it was Judge Delos Santos who caused the turmoil in the court. She was obnoxious and irksome, especially to lawyers and litigants, many of whom also expressed their displeasure with her. Cartilla further asserted that Judge Delos Santos became upset after mistakenly believing that Cartilla had conspired with Olivar to file an administrative complaint against her.[64]

Considering the gravity of the allegations in the Complaint, the Court referred the administrative case to the Executive Judge of the Municipal Trial Court in Cities, Cebu City, Cebu for investigation, report, and recommendation.[65] Initially, the case was consolidated with OCA IPI No. 16-2848-MTJ, titled Cynthia B. Cartilla, Clerk of Court, v. Presiding Judge Thelma N. Delos Santos, Municipal Trial Court, Dalaguete, Cebu, but was subsequently deconsolidated as the latter case was assigned to Judge Navarrete for investigation, report and recommendation.

Recommendation of the Investigating Judge

In his Investigation Report,[66] Investigating Judge Oscar D. Andrino (Judge Andrino) recommended that Cartilla be held administratively liable for insubordination and grave misconduct. He found substantial evidence that Cartilla repeatedly disobeyed Judge Delos Santos's lawful orders, such as her failure to immediately deposit the collection when it reached PHP 500.00 to the MTC Dalaguete savings account with the Land Bank Dalaguete Extension branch, and her refusal to report for work at the new MTC office in Dalaguete, Cebu from January 22 to 25, 2016. Additionally, Cartilla was found guilty of gross misconduct for accepting PHP 8,000.00 from Gorrisen. Judge Andrino stressed that Cartilla's claim of returning the money did not absolve her, as her act of accepting it sealed her liability.[67]

The OCA Recommendation

After a thorough evaluation of the parties' allegations and evidence, the OCA found substantial grounds to hold Cartilla administratively liable for insubordination and gross misconduct in the performance of her position as Clerk of Court II of the MTC.[68]

According to the OCA, Cartilla admitted that she visited Gorrisen at his house to return the PHP 30,000.00 cash bond and received PHP 8,000.00 from him, supposedly for the purchase of a printer to be used by the court. However, there was no evidence that she delivered the printer to Judge Delos Santos or brought it to the court. Judge Delos Santos disapproved Cartilla's act of soliciting money from Gorrisen and even instructed her to return the PHP 8,000.00 he gave. The OCA held that accepting money from a litigant or any party involved with the court constitutes extortion, a clear act of graft and corruption that must not be tolerated.[69]

The OCA also determined that, contrary to Cartilla's assertion, there is no evidence that she used the money to purchase a printer for the court or returned it to Gorrisen.[70] Even if she had, it would not absolve her from administrative liability, as the misconduct was already committed the moment she solicited and accepted the money, directly violating Section 7(d) of Republic Act No. 6713,[71] which states:

> SEC. 7. Prohibited Acts and Transactions.—
>
> . . . .
>
> (d) Solicitation or acceptance of gifts. — Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office.

So, too, Cartilla, in her capacity as the accountable officer of the court, was found guilty of violating the 2002 Revised Manual for Clerks of Court. She failed to comply with the rules on the timely deposit of all court monies, such as the Judiciary Development Fund, the Fiduciary Fund, and the special allowances for judges, necessitating Judge Delos Santos to issue a court order to enforce compliance. Cartilla also defaulted to account for the Sheriff Trust Fund and claimed ignorance of circulars requiring the immediate deposit of collected funds.[72]

The totality of Cartilla's actions constituted gross misconduct and insubordination. As a result, the OCA recommended her dismissal for grave misconduct, with insubordination as an aggravating factor.[73]

OCA IPI No. 16-4615-P

Judge Delos Santos submitted to OCA the Daily Time Records (DTRs) of Olivar from November 2015 to March 2016.[74] However, she complained that these did not accurately reflect his attendance, and offered the following summary as a more faithful account thereof:

> Date
>
> Time in
>
> Judge Delos Santos' Remarks
>
> November 12, 2015
>
> 8:00 a.m.
>
> Undertime; left the office without permission; returned at 12:00 noon
>
> November 23, 2015
>
> 7:45 a.m.
>
> Undertime; left the office without permission; returned at 12:00 noon
>
> November 26, 2015
>
> Unauthorized absence.
>
> December 2, 2015
>
> 7:48 a.m.
>
> Undertime; left the office; did not come back in the morning

December 3, 2015

1:00 p.m.

Undertime; left the office without permission; returned at 5:00 p.m.

December 14, 2015

Unauthorized absence; application for sick leave was disapproved

January 13, 2016

Undertime; left the office at 8:00 a.m. to serve an order for Atty. Geovanni Omega but did not return to the office

January 20, 2016

8:00 a.m.

Undertime; left the office without permission; did not return to the office

January 21 to 22, 2016

Unauthorized absences

January 25, 2016

1:00 p.m.

Undertime; left the office to serve an order to the Philippine Mediation Center in Argao but did not return to the office

January 28, 2016

Undertime; left the office at 1:00 p.m. to serve a notice of hearing to the office of the PNP, which was a three to five minute walk away; did not return to the office

February 3 to 4, 2016

Unauthorized absence; application for leave was disapproved

February 9, 2016

Undertime; was not present at the office from 1:00 p.m. to 5:00 p.m.

February 10, 2016

Undertime; left the office at 1:10 p.m. and returned at 2:30 p.m.

February 15, 16, 18, 19, and 22, 2016

Unauthorized absence; application for leave was disapproved

February 17, 2016

Undertime; was present at the office from 1:00 p.m. to 5:00 p.m.

February 23, 2016

7:59 a.m.

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Undertime; left the office at 8:15 a.m. without permission; did not return in the afternoon

February 24, 2016

8:00 a.m.

Undertime; left the office at 8:05 a.m. without permission; did not return to the office.

February 26, 2016

Unauthorized absence; did not file an application for leave.

February 29, 2016

Undertime; not present at the office from 1:00 p.m. to 5:00 p.m.

March 1 to 2, 2016

7:56 a.m.
7:59 a.m.

Undertime; left the office without permission; did not return in the afternoon

March 4, 2016

Undertime; left the office at 1:00 p.m. without permission and did not return

March 10, 2016

Undertime; left the office at 7:50 a.m. without permission and did not return

March 11, 2016

Undertime; was not present at the office from 1:00 p.m. to 5:00 p.m.

March 28, 2016

8:00 a.m.

Undertime; left the office at 8:05 a.m. without permission; did not return to the office

March 31, 2016

Undertime; was not present at the office from 8:00 a.m. to 12:00 noon

April 1, 2016

Undertime; left the office at 1:35 p.m. without permission and returned at 3:05 p.m.; left again at 3:15 p.m. without permission and returned at 4:50 p.m.

April 5, 2015

Undertime; unauthorized absence

April 6, 2016

Undertime; was not present at the office from 8:00 a.m. to 12:00 noon

April 7, 2016

Undertime; left the office at 8:23 a.m. without permission and returned at 11:20 a.m.

April 12, 2016

Undertime; left the office at 1:35 p.m. without permission and returned at 4:55 p.m.

April 13, 2016

Undertime; left the office at 8:04 a.m. without permission and returned at 10:45 a.m.; left again at 1:02 p.m. without permission and returned at 4:50 p.m.

April 15, 2016

Undertime; was not present at the office from 8:00 a.m. to 10:03 a.m.; 1:05 p.m. to 2:20 p.m.; and 3:42 p.m. to 4:20 p.m.

April 19, 2016

Undertime; left the office at 8:24 a.m. without permission and returned at 11:30 a.m.

April 26, 2016

Undertime. Olivar left the office at 8:01 AM without permission and returned at 11:05 a.m. He left again at 3:40 p.m. without permission and returned at 4:05 p.m.

April 27, 2016

Undertime. Olivar left the office at 8:03 a.m. without permission and returned at 11:00 a.m. He left again at 12:48 p.m. without permission and returned at 4:30 p.m.

May 2, 2016

Undertime. Olivar left the office at 7:45 a.m. and returned at 5:00 p.m.

May 3, 2016

Undertime. Olivar was not present in the afternoon

May 10 to 11, 2016

Undertime. Olivar timed in at 8:00 a.m. and left the office without permission. He returned at 5:00 p.m.

May 12, 2016

Undertime. Olivar timed in at 8:00 a.m. and left the office without permission. He did not return to the office.

May 13, 2016

Unauthorized absence

May 18, 2016

Undertime; left the office at 1:20 p.m. and returned at 4:40 p.m.

May 19, 2016

Undertime; left the office at 1:05 p.m. and did not return

May 20, 2016

Undertime; left the office at 1:05 p.m. and returned at 3:20 p.m.

May 23, 2016

Undertime; left the office at 8:06 a.m. and returned at 10:20 a.m.

May 25, 2016

Undertime; left the office at 8:15 a.m. and returned at 10:55 a.m.[75]

Olivar, in turn, submitted his Letter-Response,[76] stating that his DTRs from November 2015 to May 2016 were forwarded by Judge Delos Santos to this Court without proper verification from Cartilla, the branch clerk of court.[77] On more than one occasion, Judge Delos Santos supposedly barred him from recording his attendance, and that the logbook contained highly questionable entries.[78] Finally, Olivar addressed each of the entries presented by Judge Delos Santos, and contended that in most instances, he had either been on leave or attending to official business.[79]

Upon the OCA's recommendation, the Court directed that OCA IPI No. 16-4615-P be consolidated with A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]. The case was then referred to Judge Navarrete for joint investigation, report and recommendation.[80] However, Judge Navarrete recused himself from further involvement in the investigation, noting, among other things, that the leave applications disapproved by Judge Delos Santos were occasionally forwarded to him as executive judge.[81]

OCA IPI No. 18-2963-MTJ

Peter Bejarasco, Jr. (Bejarasco, Jr.) charged Judge Delos Santos with gross ignorance of the law, committing acts prejudicial to the interest of the court, grave misconduct, and grave abuse of authority as being engaged in the business of lending money to borrowers.[82] To support his claim, he presented documents including: (a) a real estate mortgage executed by Cecilia C. Bejarasco for a PHP 65,000.00 loan;[83] (b) a real estate mortgage executed jointly by Peter and Isabelita Bejarasco for a PHP 100,000.00 loan;[84] and (c) a real estate mortgage executed by Lamberto Carungay, initially to secure a PHP 75,000.00 loan, which was later increased to PHP 650,000.00.[85] These mortgage agreements were executed in favor of Judge Delos Santos as mortgagee, with annual interest rates set between 20 and 24%.[86]

Commenting on Bejarasco, Jr.'s imputations, Judge Delos Santos averred that by filing his complaint, he was coming to court with unclean hands, having accepted a loan from her that he now refuses to repay. Moreover, the complaint was filed at the urging of Cartilla, as part of a coordinated effort to engineer her removal from office. Finally, Judge Delos Santos maintained that her decision to extend the loan stemmed not from any business interest, but from a sense of sympathy.[87]

Considering the overlapping issues involved, this Court ordered the consolidation of OCA IPI No. 16-2848-MTJ, A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ], A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P], and OCA IPI No. 16-4615-P and referred the complaints to Judge Navarrete for joint investigation, report, and recommendation.[88]

Recommendation of the Investigating Judge

In his Investigation, Report and Recommendation,[89] Judge Navarrete declared that Judge Delos Santos had issued too few loans to be considered as being engaged in the business of money lending.[90] He cited A.M. No. 08-8-7-SC[91] and inferred that one must have no less than fifteen transactions in a year to be considered engaged in such business.[92]

Judge Navarrete nonetheless underscored that members of the Judiciary must avoid financial and business dealings that tend to reflect adversely on the court's impartiality.[93] However, in the absence of any showing of malice and given that Judge Delos Santos had engaged in only five isolated loan transactions, purportedly out of a desire to help, he recommended that a reprimand would be a just and proportionate response.[94]

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OCA IPI No. 19-3067-MTJ

Amidst the foregoing developments, OCA Judicial Supervisor Elizabeth S. Tanchoco (Atty. Tanchoco) received a directive to determine the cause of the apparent discord among the staff in MTC Dalaguete.[95]

After conducting an informal conference with Judge Delos Santos and her personnel, Atty. Tanchoco submitted a Memorandum,[96] detailing the following findings:

> 1)
>
> Judge Delos Santos received fees from couples whose marriages she solemnized. She also notarized private documents despite the presence of a notary public in the municipality of Dalaguete, Cebu.
>
> 2)
>
> Despite her knowledge of the availability of a notary public, Cartilla assisted the previous judge and Judge Delos Santos in the notarization of private documents. She also received money from couples whose marriages were solemnized by Judge Delos Santos.
>
> 3)
>
> Cartilla and Olivar were discourteous and disrespectful towards Judge Delos Santos. They would, at times, leave the office without securing her permission, Meanwhile, Judge Delos Santos failed to maintain her composure with Cartilla and Olivar during their staff meetings.[97]

Judge Delos Santos denied accepting payments from couples whose marriages she solemnized. Anent her notarization of private documents, she explained that she did so only in the absence of the municipality's sole notary public. However, she admitted to being unaware that each notarization required a certification attesting to the notary's absence. Believing the practice to be legally sound, she noted that it had been the norm among her predecessors at MTC, Dalaguete. At any rate, she moved that the matter be consolidated with OCA IPI No. 16-2848-MTJ.[98]

Cartilla, for her part, denied allegations of discourtesy and disrespect toward Judge Delos Santos. She asserted that she had been the target of insult and defamation by the judge. She likewise rejected the claim that she had accepted payments from couples whose marriages were officiated by Judge Delos Santos. With regard to her involvement in notarizations, she maintained that she acted solely on the instructions of Judge Delos Santos.[99]

Finally, Olivar denied the allegation that he would leave the office without permission and that he failed to give due respect and courtesy to Judge Delos Santos.[100]

The OCA Evaluation Report and Recommendation

Following its assessment of the parties' submissions, the OCA submitted a Report,[101] recommending the following actions:

> RECOMMENDATION: It is respectfully recommended for the consideration of the Honorable Court that:
>
> - The charge of unauthorized notarization of private documents against [Judge Delos Sanots], MTC, Dalaguete, Cebu be CONSOLIDATED with OCA IPI No. 16-2848-MTJ;
>
> - The charge of gross misconduct in accepting money from the solemnization of marriages against [Judge Delos Santos], MTC, Dalaguete, Cebu be CONSOLIDATED with OCA IPI No. 16-2859-MTJ;
>
> - The charge against Clerk of Court [Cartilla], MTC, Dalaguete, Cebu for gross negligence (or gross neglect of duty) in assisting Judge Delos Santos in the unauthorized notariz[ation] of private documents be CONSOLIDATED with OCA IPI No. 16-2848-MTJ;

> - The charge against [Cartilla] of gross misconduct in receiving money from couples whose marriages were solemnized by Judge Delos Santos and for violation of office rules, be DISMISSED for lack of evidence;
>
> - [Cartilla] be found GUILTY of vulgar and unbecoming conduct under Rule 140 of the Rules of Court, as amended and be meted the penalty of a FINE of Ten Thousand Pesos ([PHP] 10,000.00) with a STERN WARNING that a repetition of the same or similar acts will be dealt with more severely; and
>
> - Junior Process Server [Olivar] be found GUILTY of vulgar and unbecoming conduct under Rule 140 of the Rules of Court, as amended, and be meted a penalty of a FINE in the amount of Twenty Thousand Pesos ([PHP] 20,000.00) with a STERN WARNING that a repetition of the same or similar acts will be dealt with more severely by the Court.[102] (Emphasis in the original)

The OCA noted that since some of the allegations raised during the conference were already under consideration in a separate proceeding, these be consolidated to avoid duplicity of suits;[103] with the exception of the charges against Cartilla and Olivar for vulgar and unbecoming conduct which the OCA found sufficient basis to sustain.[104] During the informal conference, both individuals were reported to have raised their voices at Judge Delos Santos and exhibited behavior marked by arrogance and disrespect.[105]

In determining the recommended penalties, the OCA considered that Cartilla was already previously found liable for infidelity in the custody of records, dishonesty, grave misconduct, and neglect of duty in A.M. No. P-05-1987.[106] Meanwhile, Olivar was charged and found guilty of simple discourtesy in the course of official duties in OCA IPI No. 15-4521-P.[107]

Issue at Bench
Should Judge Delos Santos, Cartilla, and Olivar be held administratively liable for the acts complained of?

The Court's Ruling
In administrative cases, the required quantum of proof is merely substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to support a conclusion.[108] Notably, due weight and respect should be given to the findings of the investigating judge, who was in the best position to assess the credibility of witnesses and observe their demeanor firsthand.[109]

Liability of Judge Delos Santos

The Court affirms the findings and recommendations of the OCA, subject to certain modifications concerning the penalties to be imposed.

Unauthorized notarization of private documents

Generally, a judge is prohibited from engaging in the private practice of law, which includes performing acts as a notary public.[110] However, Section 76[111] of Republic Act No. 296,[112] as amended, and Section 242[113] of the Revised Administrative Code of 1987[114] allow MTC judges to perform the functions of notaries public ex officio. Nevertheless, this authority is further delimited by Circular No. 1-90,[115] which states:

> MTC and MCTC judges may act as notaries public ex officio in the notarization of documents connected only with the exercise of their official functions and duties They may not, as notaries public ex officio, undertake the preparation and acknowledgment of private documents, contracts and other acts of conveyances which bear no direct relation to the performance of their functions as judges[.]
>
> However, the Court, taking judicial notice of the fact that there are still municipalities which have neither lawyers nor notaries public, rules that MTC and MCTC judges assigned to municipalities or circuits with no lawyers or notaries public may, in the capacity as notaries public ex officio, perform any act within the competency of a regular notary public, provided that: (1) all notarial fees charged be for the account of the

> Government and turned over to the municipal treasurer; and, (2) certification be made in the notarized documents attesting to the lack of any lawyer or notary public in such municipality or circuit.

The Court concurs with the findings of the OCA that Judge Delos Santos violated Circular No. 1-90. The records evince that she notarized a total of eleven documents – among them, three deeds of sale, three service contracts, a lease agreement, a special power of attorney, two affidavits, and a waiver of rights.[116] None bore any connection to her official duties. Moreover, she proceeded with the notarization without certifying the absence of lawyers or notaries public within the territorial jurisdiction of her court.

Apart from the documentary evidence, Judge Delos Santos herself admitted under oath that she had notarized the private documents in question, despite the availability of notaries public in Dalaguete, Cebu. In her defense, she invoked good faith, arguing that her actions were motivated by a desire to respond to public needs and were in keeping with the practice of judges who came before her, thus:

> JUDGE DELOS SANTOS: These documents notarized by the undersigned, which were certified by the Clerk of Court herself... this was not done by the respondent in abuse of authority or ignorance of the law. These kind[s] of documents, its not only the respondent who is doing this one. In fact, this was the practice of previous Judges wherein the respondent Judge or the respondent now just followed because there was only, until now, one available, always available, not even always available Atty. Fulton Almagro as Notary Public....So, the Presiding Judge[,] in the hope that they can serve the people, who needed much the service of a Notary Public, accommodated their requests [rather] than to allow them to look for another [Notary public].
>
> JUDGE DELOS SANTOS: Deed of Absolute Sale, Your Honor, where the buyer is my sister. Yes, I admitted that as my fault but it was an honest mistake, Your Honor. In fact, Cartilla was even one of the witnesses. She should have called my attention that it is prohibited. With respect to the notarization of documents, I am just following the practice of previous judges... [The notarization] was done in good faith to assist or to serve immediately the needs of the public. Because maybe, there is only on[e] Notary Public available in Dalaguete. In fact, he is not almost there, not every day, because he is also attending hearings or he is living in the city. So, that is why I adopted that practice because thinking that this was also the same reason of the preview; Judges why they were doing this.[117]

However, in Tupal v. Rojo,[118] the Court stressed that "good faith does not apply where the issues are so simple and the applicable legal principles evident and basic as to be beyond possible margins of error."[119] It held that the requirement in Circular 1-90 is a basic legal principle that repeated violations thereof (nine times in that case) negate any claim of good faith, amounting instead to gross ignorance of the law.[120] Accordingly, Judge Delos Santos shall be held liable for gross ignorance of the law.

Vulgar and unbecoming conduct

It bears accentuating that judges stand as the visible representations of law and justice. They are figures from whom the people draw the will and inclination to obey the law.[121] In this role, they are expected to embody the virtue of gravitas, "be learned in the law, dignified in demeanor, refined in speech and virtuous in character ... [and] exhibit that hallmark judicial temperament of utmost sobriety and self-restraint."[122]

In her Complaint, Cartilla accused Judge Delos Santos of a series of pointed and deliberate actions. detailed as follows:

> 2) Herein respondent [Judge Delos Santos] abused and bullied our PWD staff [Olivar], MTC Jr. Process Server- violating the Magna Carta Act for PWD, [i.e.] by:
>
> (a)

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> Shouting, insulting, defaming him ([Olivar]) in front of our staff and general public, also slapping him, hitting him at his back with bulk of records and bang the keyboard of the office computer when [Olivar] used our office computer in making Process Server's Return of Court Processes he served;
>
> (b)
>
> Posting said [Olivar] outside out office/courtroom, just near the entrance of the court, exposing him to humiliation, dusts, rain in our new office...; photo of which hereto attached marked as ANNEX "T".
>
> (c)
>
> Prohibiting said [Olivar] to use: office computer/printer; also prohibited from using comfort room, so he ([Olivar]) has to walk about 50 meters away from court to reach and use [the] [p]ublic [t]oilet, and has to pay in order to use said toilet;
>
> . . . .
>
> 5) In several instances, Judge Delos Santo's shouted at me with defamatory and insulting words in the presence of our colleagues to the extent of calling me [an] insane person – and suggested that I should rather see a psychiatrist so that I could be cured;
>
> 6) In the same manner, complainant heard respondent Judge Delos Santos brand[] [Olivar] an insane person also in the presence of her staff;
>
> 7) On April 12, 2016, respondent [Judge Delos Santos] challenged me to a fist fight inside the courtroom and in the presence of our staff. A copy of the police blotter is attached as ANNEX "T" forming an integral part of this affidavit complaint;
>
> 8) Judge Delos Santos gravely abused her authority by threatening those whom she crossed path[s] with using her contempt power against any staff who does not sign/do anything she wanted them to do. [Olivar] was imprisoned twice due to her twin contempt order arising from their personal conflict. I was likewise threatened with contempt every time I reasoned out every time Judge Delos Santos accuses her of anything;[123]

While Investigating Judge Navarrete stopped short of declaring each allegation as definitely proven, he nonetheless stated that the totality of the testimonies taken evinced an unbecoming lack of restraint on the part of Judge Delos Santos.[124] The OCA reached the same conclusion, finding her culpable for behaving unprofessionally in dealing with her staff and for failing to maintain order and decorum in the court.[125] Tellingly, Judge Delos Santos admitted that at times, she would let her emotion and anger steer her confrontations with Cartilla—

> JUDGE DELOS SANTOS:
> As I said a while ago, I am just a human being. I was always provoked. Because I know for a fact that she is provoking me because the moment that I lost my temper and I can harm her that will be the time that the Judge will be immediately dismissed. That is what she expected and that is what she is trying to do. I know this strategy of the Clerk of Court. What I did in order that she will not succeed in what she is trying to do[,] I kept on staying in my chambers and I just go out to personally supervise the staff. Whatever she wants to do, I just allowed her to do it because I want the place to be [quiet]. Because I am already ashamed with the other staff that I am always provoked by her. I said, many times that I want to bring the Staff because it is self-serving for me to talk evidencing in favor of me. I want the other people to say of what she is actually inside the courtroom because I heard some wicked people that will say bad things in order to make themselves good than the others.[126]

At this juncture, the Court must remind that even on the face of boorish behavior, a judge must comport oneself in a manner befitting the office being held. Judicial temperament demands the avoidance of crude or insulting

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language, and the maintenance of composure and equanimity at all times.[127] In this instance, Judge Delos Santos fell short of that standard. Rather than de-escalate tensions in the workplace, she met Cartilla and Olivar's provocations in kind and mirrored their hostility rather than rise above it. For the reasons stated above, the Court finds Judge Delos Santos guilty of vulgar and unbecoming conduct.

Judge Delos Santos must also answer to an additional charge of unbecoming conduct, this time for being engaged in the practice of lending money.

The business dealings of a judge are governed by Rule 5.02 of the Code of Judicial Conduct, which prohibits engaging in activities or entering into dealings, particularly financial, likely to interfere with the performance of their functions or present a conflict-of-interest situation—

> Rule 5.02. A judge shall refrain from financial and business dealings that tend to reflect adversely on the court's impartiality, interfere with the proper performance of judicial activities, or increase involvement with lawyers or persons likely to come before the court. A judge should so manage investments and other financial interest as to minimize the number of cases giving grounds for disqualifications.

Thus, in Anonymous Letter-Complaint against Atty. Morales, Clerk of Court, MTC, Manila,[128] a court employee was held administratively liable for engaging in the business of lending and rediscounting checks. The Court ratiocinated that working in the Judiciary demands undivided time, utmost efficiency, and the willingness to sacrifice personal gain for the public good:

> The Court agrees with the OCA that Siwa should be administratively disciplined for engaging in the business of lending and rediscounting checks.
>
> Siwa admits engaging in the business of lending and rediscounting checks, claiming that it was a legitimate endeavor needed to augment her meager income as a court employee; that she is not aware of any rule prohibiting her from engaging in the business of rediscounting checks; that there are other employees engaged in the same business; and that she employs her own staff to do the encashment of the checks as she always attends to and never neglects her duties as a stenographer.
>
> Siwa is clearly mistaken.
>
> Officials and employees of the judiciary are prohibited from engaging directly in any private business, vocation, or profession even outside office hours to ensure that full-time officers of the court render full-time service so that there may be no undue delay in the administration of justice and in the disposition of cases. The nature of work of court employees requires them to serve with the highest degree of efficiency and responsibility and the entire time of judiciary officials and employees must be devoted to government service to ensure efficient and speedy administration of justice. Indeed, the Court has always stressed that court employees must strictly observe official time and devote every second moment of such time to public service. And while the compensation may be meager, that is the sacrifice judicial employees must be willing to take.[129] (Emphasis supplied, citations omitted)

In this instance, Judge Delos Santos fell decidedly short of the standard set above. Her practice of lending money with interest, regardless of whether it was cloaked with good intention, is by any measure, highly improper.

Contrary to Judge Navarrete's conclusion in OCA IPI No. 18-2963-MTJ, the attachment of administrative liability does not depend on whether the loan transactions arc more or less than fifteen. It suffices that the extension of the loans were undertaken for profit and occurred with sufficient regularity to negate any assertion that it was an isolated act. Lending for profit is antithetical to the image of judicial impartiality and restraint. It invites questions, compromises appearances, and chips away at the public's trust in the courts as neutral arbiters. Accordingly, the Court adopts the recommendation of the OCA in A.M. No. MTJ-19-1929, finding Judge Delos Santos

administratively liable for engaging in lending activities at profit.

Penalty

Anent the proper penalty to be imposed on Judge Delos Santos, the Court notes that, in accordance with A.M. No. 21-08-09-SC,[130] Rule 140 of the Rules of Court, as amended, shall be applied uniformly to all pending and future administrative cases involving all Members, officials, employees, and personnel of the entire Judiciary.[131] Consequently, Section 21 of the same Rule provides:

> SECTION 21. Penalty for Multiple Offenses. — If the respondent is found liable for more than one (1) offense arising from separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense. Should the aggregate of the imposed penalties exceed five (5) years of suspension or [PHP] 1,000,000.00 in fines, the respondent may, in the discretion of the Supreme Court, be meted with the penalty of dismissal from service, forfeiture of all or part of the benefits as may be determined, and disqualification from reinstatement or appointment to any public office, including government-owned or -controlled corporations. Provided, however, that the forfeiture of benefits shall in no case include accrued leave credits. (Emphasis in the original)

The Court may impose the following sanctions for gross ignorance of the law or procedure, it being a serious charge:[132]

> (a)
>
> Dismissal from service, forfeiture of all or part of the benefits as the Court may determine; and disqualification from reinstatement or appointment to any public office, including government-owned or controlled corporations;
>
> (b)
>
> Suspension from office without salary and other benefits for more than six months but not exceeding one year; or
>
> (c)
>
> A fine of more than [PHP] 100,000.00 but not exceeding [PHP] 200,000.00.[133]

Meanwhile, vulgar and unbecoming conduct is classified as a light charge,[134] which is punishable by any of the following:

> (a)
>
> A fine of not less than [PHP] 1,000.00 but not exceeding [PHP] 35,000.00;
>
> (b)
>
> Censure; or
>
> (c)
>
> Reprimand.[135]

Furthermore, in determining the appropriate penalty to be imposed upon Judge Delos Santos, the Court is guided by Section 19 of Revised Rule 140—

> SECTION 19. Modifying Circumstances. — In determining the appropriate penalty to be imposed, the Court may, in its discretion, appreciate the following mitigating and aggravating circumstances:

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(l) Mitigating circumstances:

(a)

First offense;

(b)

Length of service of at least ten (10) years with no previous disciplinary record where respondent was meted with an administrative penalty;

(c)

Exemplary performance;

(d)

Humanitarian considerations; and

(e)

Other analogous circumstances.

(2) Aggravating Circumstances:

(a)

Finding of previous administrative liability where a penalty is imposed, regardless of nature and/or gravity;

(b)

Length of service facilitated the commission of the offense;

(c)

Employment of fraudulent means to conceal the offense; and

(d)

Other analogous circumstances.

Additionally, if one or more aggravating circumstances and no mitigating circumstances are present, the Court may impose the penalties of suspension or fine for a period or amount not exceeding double of the maximum prescribed under this Rule.[136]

The Court takes into account Judge Delos Santos's prior administrative infractions, specifically, her reprimand in OCA IPI No. 16-2843-MTJ, for refusing to settle a just debt, and her earlier admonition in OCA IPI No. 3-31-03 involving charges of gross ignorance of the law, bias, partiality, incompetence, and gross misconduct. Considering this history, the Court finds it appropriate to impose the following penalties: for gross ignorance of the law, she shall be suspended from office without salary and other benefits for 18 months; and for each count of vulgar and unbecoming conduct, she shall be penalized with a fine of PHP 50,000.00.

Liability of Cartilla

The Court adopts the findings and recrnx1mendation of the OCA anent Cartilla, albeit with modifications as to the sanction to be imposed. Furthermore, the Court finds Cartilla liable for gross neglect of duty.

Grave Misconduct

In a catena of cases, the Court has consistently held that the act of soliciting and/or receiving money by court personnel from litigants, as well as from any individuals connected to or representing them, constitutes grave misconduct, for which the court employee guilty thereof should be held administratively liable.[137] Section 7(d) of Republic Act No. 6713 is clear and categorical—

> (d) Solicitation or acceptance of gifts. — Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office.

Similarly, under Canon 1, Section 2 of the Code of Conduct for Court Personnel, all court personnel are strictly prohibited from soliciting or accepting "any gift, favor or benefit based on any or explicit understanding that such gift, favor or benefit shall influence their official actions."

Ample evidence shows that Cartilla engaged in grave misconduct by soliciting and receiving money from Gorrisen, a bondsman, under the false pretext of using the funds to purchase a printer for the court. Thus, the Court quotes with approbation the report of the OCA:

> In this particular instance, [] Cartilla admitted that she went to [Gorrisen]'s house to personally return the cash bond in the amount of [PHP] 30,000.00; and that she received the amount of [PHP] 8,000.00 from [Gorrisen] supposedly for the purchase of a printer to be used by the court. There is no proof that she turned over the printer to [] Judge Delos Santos or brought the same to the court. It is also shown that [] Judge Delos Santos disapproved respondent [] Cartilla's act of soliciting money from [Gorrisen] and demanded that she return the amount of [PHP] 8,000.00. Indeed, accepting money from a litigant or any person transacting business with the court constitutes extortion, a veritable form of graft and corrupt practice that cannot be countenanced.
>
> The following testimony of [] Cartilla underscored her culpability:INVESTIGATOR: You answer the charge that you took advantage of your position to solicit money from [Gorrisen]?
>
> [CARTILLA]: I did not, Your Honor... [Gorrisen] was a bondsman at that time. The accused that he bonded already died. So he filed a motion to withdraw [the] cash bond. By the time he said that he will withdraw the bond, I said that we will release it to [him] after undergoing the process. Then [Gorrisen], in [my presence and my staff], told us that: "As soon as the bail bond is released, I will buy you some food." So I automatically said, "Why not donate a printer to our office?" ...
>
> . . . .
>
> INVESTIGATOR: Why is that you did not leave the money to the Judge or to the staff so that if Gorrisen would go to your office, they will be the one to return the money rather than you go to the house and deliver that money?
>
> [CARTILLA]: He is our neighbor, Your Honor.
>
> INVESTIGATOR: That is improper to go to the house of the bondsman to give the money. Even if he is your neighbor, because you are intending to take a leave of absence, the money should have been left to the staff for them to give to Gorrisen.
>
> . . . .
>
> INVESTIGATOR: There was an admission that money was given for a printer, where is now the printer?
>
> [CARTILLA]: After I made him sign that he received the amount, he said that "Oh Inday, instead of me who will buy the printer, it is better that you will be the one to buy the printer." Because I told him why not donate a printer for the office. I did not ask money, Your Honor. By the time I gave him the full amount, I made him

> sign that he received it.
>
> [JUDGE DELOS SANTOS]: May I say something, Your Honor? The bail was for [PHP] 30,000.00 then she went to the house of Gorrisen to return the [PHP] 30,000.00... She was given [PHP] 8,000.00 to allegedly buy [a] printer and where is the printer now? That is why I asked her to return the money [she was] not ordered by this representation to solicit and there was no compliance [with] that order.
>
> [CARTILLA]: There was that printer, Your Honor. I showed the printer and the receipt to Gorrisen and then Gorrisen said, "It's good that you are able to buy it." So, "wala na siyang pakialam." (He doesn't mind anymore).
>
> INVESTIGATOR: Where is the printer now, it is with the court?
>
> [CARTILLA]: The Judge told me to return the money so what I did... I returned the money. The printer is now in our house.

In this case, [] Cartilla's corrupt motive was made evident when she personally went to the house of [Gorrisen] supposedly to return the cash bond and, consequently, she accepted the amount of [PHP] 8,000.00 from the latter. Based on the prevailing circumstances, any reasonable man would believe that [] Cartilla purposely went to the house of [Gorrisen] to exact money from him. It is even immaterial that money exchanged hands; her brazen remark asking [Gorrisen] to buy a printer imperils the integrity of the court and erodes the public's respect for the law and the courts.

More significantly. contrary to [] Cartilla's assertion, there is no evidence whatsoever that she used the money to buy a printer for the use of the court or that she returned the money to [Gorrisen]. And even if she did, the same would not absolve her from administrative liability as the act of undue solicitation was already consummated when she demanded and accepted the money, in outright contravention of Section 7 (d) of the Code of Conduct and Ethical Standards for Public Officials and Employees[.][138] (Emphasis in the original, emphasis supplied)

Quite palpably, Castilla's act of receiving money from Gorrisen, even if seemingly done in good faith, undermined the integrity and reputation of the Judiciary, for which she becomes liable.

Gross Insubordination

Gross insubordination is defined as the "inexplicable and unjustified refusal to obey some order that a superior is entitled to give and have obeyed, and imports a willful or intentional disregard of the lawful and reasonable instructions of the superior." It is manifested by a "brazen disrespect for and defiance towards one's superiors."[139]

The investigation revealed that Cartilla committed insubordination by: 1) defying Judge Delos Santos's orders to promptly transfer the Land Bank savings account of the MTC from Land Bank's Carcar branch to its Dalaguete branch for efficiency and convenience; (2) failing to report to the new MTC office in Dalaguete despite Judge Delos Santos's explicit directive; and (3) continuing to report to the old office and maintaining a separate logbook for her attendance.

As the presiding judge, Judge Debs Santos bears the "administrative responsibility of organizing and supervising her court personnel to secure prompt and efficient dispatch of business, requiring at all times the observance of high standards of public service and fidelity" and is "ultimately responsible for ensuring that court personnel perform their tasks.[140] Clearly, Cartilla's repeated refusal to comply with Judge Delos Santos's lawful and reasonable orders amounts to insubordination, which warrants appropriate disciplinary action.

Gross Neglect of Duty

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Cartilla was likewise found guilty of violating the 2002 Revised Manual for Clerks of Court in her capacity as an accountable officer of the court. The rules clearly mandate that the Judiciary Development Fund must be deposited daily or at the very least, by the end of each month, with immediate deposit required when collections exceed PHP 500.00.[141] Meanwhile, the Fiduciary Fund must be deposited as soon as it is received. However, the evidence shows that Cartilla did not adhere to these rules.[142]

As found by the OCA, from December t to 14, 2015, court collections reached PHP 72,119.40, but Cartilla only deposited PHP 15,000.00 on December 3, 2015. Additionally, PHP 46,000.00 in Fiduciary Fund collections received on December 8 to 9, 2015 were not deposited on time. Despite a direct order from Judge Delos Santos to deposit these funds, Cartilla did not comply until December 14, 2015, after an official order was issued. Cartilla's denials and claims that the evidence was fabricated were not supported by the facts, and her testimony further exposed her failure to comply with clear instructions.

Judge Delos Santos further averred that Cartilla failed to account for the Sheriff Trust Fund, including the PHP 18,300.00 balance from 2005 to 2008. While Cartilla argued that no directive was given regarding the deposit of the PHP 1,000.00 collection for the Sheriff Trust Fund, she admitted to retaining PHP 14,000.00 until prompted by Judge Delos Santos's order. Court rules and circulars clearly mandate the prompt deposit of all fiduciary funds, including the Sheriff Trust Fund. Cartilla's failure to comply with these requirements demonstrates a clear neglect of her duties.

Strikingly, Cartilla's neglect in properly managing and depositing court funds reveals a severe lack of discipline and responsibility. As clerk of court, she was required to ensure the timely deposit of all funds and proper accounting, yet she failed to do so repeatedly. This failure to comply with the prescribed procedures for handling and depositing court funds is a blatant violation of the responsibilities entrusted to her. Even a claim of good faith cannot absolve her from failing to adhere to the mandatory provisions outlined in the rules and circulars. In OCA v. Fortaleza,[143] the Court held that the failure of a clerk of court to immediately deposit court funds and revenues to the authorized government depositories shall constitute gross neglect of duty. Hence, Cartilla is hereby declared liable for such offense.

Vulgar and Unbecoming Conduct

Cartilla was found to have exhibited rude and insolent behavior towards Judge Delos Santos during the informal conference with Atty. Tanchoco. Cartilla raised her voice against the judge even in the presence of a representative from the OCA.

In Tauro v. Arce,[144] the Court instructed that judicial employees are expected to uphold high standards of conduct both in and out of the workplace. They must exhibit professionalism, respect, and proper decorum at all times, as any departure from these standards, whether work-related or not, constitutes misconduct.[145] It further held:

> Fighting between court employees during office hours is a disgraceful behavior reflecting adversely on the good image of the judiciary. It displays a cavalier attitude towards the seriousness and dignity with which court business should be treated. Shouting at one another in the workplace and during office hours is arrant discourtesy and disrespect not only towards co-workers, but to the court as well.[146]

Indeed, discourtesy, by itself, may be considered vulgar and unbecoming conduct, punishable under the Revised Rules of Court.[147] This being so, the Court adopts the findings and recommendation of the OCA that Cartilla is liable for said offense.

Penalty

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Considering that Cartilla was found liable for four distinct offenses—grave misconduct, gross insubordination, gross neglect of duty, and vulgar and unbecoming conduct—arising from separate acts, the Court is compelled to impose separate penalties for each offense.

Gross misconduct, gross insubordination, and gross neglect of duty are all classified as serious charges,[148] while vulgar and unbecoming conduct is classified as a light offense,[149] each carrying distinct penalties as previously discussed.

The OCA recommended the ultimate penalty of dismissal. However, considering Cartilla's retirement, the penalty of dismissal from service can no longer be imposed.

The Court notes that Cartilla was previously held liable for infidelity in the custody of records, dishonesty, grave misconduct, and neglect of duty in A.M. No. P-05-1987. In her letter dated December 26, 2024, she appealed to this Court's compassion, explaining that since her retirement, she has had no other source of income and is the sole breadwinner for her family—

> Since my retirement on [] April 16, 2023, I have no other source of income. I am also financing the medication of my ailing husband and the overseas employment application of my three (3) children. To tide my needs over, I loaned certain amount with exorbitant interests and mortgaged my real properties. Over and above these things, my doctor advised me that I may undergo possible surgery, which would entail significant amount of money. With my current situation, I may not be able to finance my upcoming surgery and medication due to financial restraints.
>
> . . . .
>
> Thus, I am begging and fervently praying for compassionate justice and humanitarian consideration to at least be given a substantial portion of my rightful benefits and other entitlements. To be candid and fully honest, I am in need of financial support because, as the breadwinner, I finance the daily sustenance of my family.[150]

In light of the circumstances above-mentioned, the Court shall impose the following penalties: for grave misconduct, Cartilla shall be penalized with a fine of PHP 210,000.00; for gross insubordination, she shall be penalized with a fine of PHP 210,000.00; for gross neglect of duty, she shall be penalized with a fine of PHP 210,000.00; and for vulgar and unbecoming conduct, she shall be penalized with a fine of PHP 50,000.00.

Finally, pursuant to Section 22 of Revised Rule 140, Cartilla shall pay the fine within a period not exceeding three months from the time this Decision is promulgated. If unpaid, such amount may be deducted from the salaries and benefits, including accrued leave credits, due to her.[151]

Liability of Olivar

Vulgar and Unbecoming Conduct

Similar to Cartilla, Olivar was found to have displayed rude and insolent conduct toward Judge Delos Santos during the informal conference with Atty. Tanchoco. The transcript of the conference held on May 25, 2016 reveals the following exchange:

> A: (Female Voice)
> Hindi ho... eh okay nga ho... kung nakatime in sya at nandito sya considered as present. Pano kung magtime sya ng 8 lalabas ng 8:05 babalik ng 12 para time out na.
>
> Q:
> Judge hindi yun ang nakita ko eh... ang Nakita ko dun may time in sya
> A: (Female Voice)

Oh sige tumawa ka...

Q: Ah wag muna kayong ano mag ganyanan kasi baka isubmit ko kay Chief Justice ito maririnig yung away nyo, nakakahiya.
A: (Female Voice)
Sige po...

Q: Nakakahiya kayo.
A: (Female Voice)
Ah anong gagawin ko ho nito attorney? Ang style nya na magtatime in lang... kaya nga sila nagsabi unfair na kasi magtime in siya ng 8, 8:05 nakita ng lalabas sya. Kaya may locator ako kung anon[g] oras lumabas. Babalik ho sya in the afternoon na magtiwelve para magtime out. Tapos lalabas na naman sya babalik ng 5. Wala ho syang ginagawa, wala sya sa office, ewan ko kung saan sya.

Q: Asan ka?
A: (Male Voice)
Bakit... nag sige cya kwan oh contempt. Contempt pa preso ako pinagukod ako ng pulis kasi oh ano na... ano na kasi... (Visayan Dialect)

(Female Voice)
Kasi ... bakit di ko sya warningan ng ganyan?

(Male Voice)
Eh hindi...hindi mo sinabi agad.

(Female Voice)
Wala ng respeto...wala ng respeto.
(Male Voice)
Sabi ...sabihin mo...

Q:
Hindi ka pwedeng ganyan. Nagsasalita si Judge tumahimik ka.
A: (Male Voice)
Sorry mam. Sorry po.

(Female Voice)
Ganyan ka na talaga. Sisigawan pa ako nyan. May mga recordings ...

Q:
Hindi ka pwedeng magsalita habang ang boss mo eh nagsasalita.
A: (Female Voice)
Inaaway ako nyan.

Q:
Yan ang courtesy nun. Hayaan mong matapos ang boss mo kahit mali. Assuming na mali ang boss mo habang nagsasalit[a] sya hindi ka pwedeng rnagsalita. Kung ang nanay mo nagsasalita, sasabihan mo bang ganun? Bastos yun. Yung ang pagtingin mo sa...sa boss mo dapat yun ang pagtingin mo sa nanay mo. Ngayon, kung bastos ka sa nanay mo, hindi ka pwedeng maging bastos sa boss mo. Kailangan matapos magsalita ang boss mo bago ka magsalita. Hindi ka ba tinuruan ng nanay mo tungkol dun?
A: (Male Voice)
Wala po.

Q: Tandaan mo yan kasi ayokong mag-ulit ng ganyan. Hindi [m]o pwede yung ganyan na bastos sa boss. Kahit na mali ang boss hayaan mong rnatapos kung sakaling mali siya, hindi sya yung nagsasalita ka.[152]

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Thus, this Court concurs with the findings of the investigating judge and the OCA that Olivar should be held liable for vulgar and unbecoming conduct. Since he has been charged and was found guilty of simple discourtesy in the course of official duties in OCA IPI No. 15-4521-P,[153] the Court deems it proper that he be similarly penalized with fine in the amount of PHP 50,000.00.

As to the charge of habitual absenteeism and undertime against Olivar, the Court notes that no formal investigation was conducted, as Investigating Judge Navarrete inhibited himself from further handling the matter. Hence, it is proper to refer OCA IPI No. 16-4615-P to a new investigating judge for formal investigation, report, and recommendation.

ACCORDINGLY, Judgment is rendered as follows:

> (1) Hon. Thelma N. Delos Santos, Presiding Judge, Municipal Trial Court, Dalaguete, Cebu is found GUILTY of one count of gross ignorance of the law and two counts of vulgar and unbecoming conduct. For gross ignorance of the law, she is imposed the penalty of SUSPENSION from office without salary and other benefits for a period of 18 months. For each count of vulgar and unbecoming conduct, she is imposed the penalty of FINE amounting to PHP 50,000.00, or an aggregate amount of PHP 100,000.00 for two counts.
>
> (2) Cynthia B. Cartilla, Clerk of Court III, Municipal Trial Court, Dalaguete, Cebu, is found GUILTY of one count each of gross misconduct, gross insubordination, gross neglect of duty, and vulgar and unbecoming conduct. She is imposed the penalty of FINE amounting to PHP 210,000.00 for grave misconduct, PHP 210,000.00 for gross insubordination, PHP 210,000.00 for gross neglect of duty, and PHP 50,000.00 for vulgar and unbecoming conduct, in the aggregate amount of PHP 680,000.00.
>
> (3) Michael Niño C. Olivar, Junior Process Server, Municipal Trial Court, Dalaguete, Cebu, is found GUILTY of one count of vulgar and unbecoming conduct. He is imposed the penalty of FINE amounting to PHP 50,000.00.
>
> (4) All monetary penalties shall be payable within a period not exceeding three (3) months from the time this Decision is promulgated. If unpaid, such amount shall be deducted from the salaries and benefits, including accrued leave credits due to respondents.
>
> (5) OCA IPI No. 16-4615-P titled Hon. Thelma N. Delos Santos v. Michael Niño C. Olivar is REFERRED to the Office of the Court Administrator to assign a new investigating judge for investigation, report, and recommendation.
>
> (6) Michael Niño C. Olivar is STERNLY WARNED that a repetition of the same or similar offense will warrant the imposition of a more severe penalty.

SO ORDERED."

Gesmundo, C.J., Leonen, SAJ., Caguioa, Inting, Zalameda, Gaerlan, Rosario, J. Lopez, Kho, Jr., Singh, and Villanueva, JJ., concur.
Hernando[*] and Lazaro-Javier,[*] JJ., on official business.
Marquez,[**] J., no part.

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[*] On official business.

[**] No part.

[1] Rollo (OCA IPI No. 16-2848-MTJ), pp. 1-17.

[2] A.M. No.03-05-01-SC, Adopting the New Code of Judicial Conduct for the Philippine Judiciary (2004).

[3] Rollo (OCA IPI No. 16-2848-MTJ), p. 3.

[4] Id. at 4.

[5] Id.

[6] Id. at 4-5.

[7] Id. at 5.

[8] Id. at 5-6.

[9] Id. at 8.

[10] Id.

[11] Id. at 9.

[12] Id. at 8.

[13] Id. at 9.

[14] Id.

[15] Id. at 10, 109.

[16] Rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 1-17.

[17] Id. at 1-2.

[18] Id. at 2-3.

[19] Id. at 3-4.

[20] Id. at 4.

[21] Id. at 4-5.

[22] Id. at 5-6.

[23] Id. at 6-16.

[24] Rollo (OCA IPI No. 16-2848-MTJ), pp. 111-124; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 60-70.

[25] Rollo (OCA IPI No. 16-2848-MTJ), p. 112; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), p. 61.

[26] Rollo (OCA IPI No. 16-2848-MTJ), p. 112.

[27] Id. at 111.

[28] Rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), p. 60.

[29] Rollo (OCA IPI No. 16-2848-MTJ), p. 115.

[30] Rollo (OCA IPI No. 16-2848-MTJ), p. 115; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 65-66.

[31] Rollo(OCA IPI No. 16-2848-MTJ), p. 117.

[32] Rollo (OCA IPI No. 16-2848-MTJ), p. 118; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 63-65.

[33] Rollo (OCA IPI No. 16-2848-MTJ), p. 119.

[34] Rollo (OCA IPI No. 16-2848-MTJ), pp. 120-121; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 67-68.

[35] Rollo (OCA IPI No. 16-2848-MTJ), pp. 121-122.

[36] Rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 65-67.

[37] Rollo (OCA IPI No. 16-2848-MTJ), p. 122.

[38] Cartilla v. Judge Delos Santos, OCA IPI No. 16-2848-MTJ; Judge Delos Santos v. Cartilla, OCA IPI No. 16-4548-P, March 21, 2018 [Notice, Second Division], rollo (OCA IPI No. 16-2848-MTJ), pp. 190-191.

[39] Cartilla v. Judge Delos Santos, OCA IPI No. 16-2848-MTJ; Judge Delos Santos v. Cartilla, OCA IPI No. 16-4548-P, September 3, 2018 [Notice, Second Division], rollo (OCA IPI No. 16-2848-MTJ), pp. 203-204.

[40] Cartilla v. Judge Delos Santos, OCA IPI No. 16-2848-MTJ; Judge Delos Santos v. Cartilla, OCA IPI No. 16-4548-P, September 3, 2018 [Notice, Second Division], rollo (OCA IPI No. 16-2848-MTJ), p. 204; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), p. 77.

[41] Rollo (OCA IPI No. 16-2848-MTJ), pp. 208-228; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 133-152.

[42] Rollo (OCA IPI No. 16-2848-MTJ), p. 220; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), p. 144.

[43] Rollo (OCA IPI No. 16-2848-MTJ), pp. 224-225; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 148-149.

[44] Rollo (OCA IPI No. 16-2848-MTJ), pp. 227-228; rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 151-152.

[45] Rollo (OCA IPI No. 16-2848-MTJ), pp. 477-488. The July 18, 2019 Memorandum was submitted by Court Administrator Jose Midas P. Marquez (now a member of this Court) and Deputy Court Administrator Jenny Lind R. Aldecoa-Delorino.

[46] Rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), pp. 158-165. The August 9, 2019 Memorandum was submitted by Court Administrator Jose Midas P. Marquez (now a member of this Court).

[47] Supreme Court Circular No. 1-90, Power of the Municipal Trial Court Judges and the Municipal Circuit Trial Court Judges to Act as Notaries Public Ex Officio (1990).

[48] Rollo (OCA IPI No. 16-2848-MTJ), p. 480.

[49] Id. at 481.

[50] Id.

[51] Id. at 482.

[52] Id. at 483.

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[53] Id. at 486.

[54] Id.

[55] Id. at 487.

[56] Id.

[57] Rollo (A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]), p. 161.

[58] Id. at 162.

[59] Id. at 163.

[60] Id.

[61] Id. at 165.

[62] Rollo (A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P]), pp. 1-7.

[63] Id. at 1-5.

[64] Id. at 339, Memorandum dated July 17, 2019.

[65] Id. at 166-167, Judge Delos Santos v. Cartilla, A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P], November 20, 2017 [Notice, Third Division].

[66] Id. at 174-183.

[67] Id. at 181-182.

[68] Id. at 338-351. The July 17, 2019 Report was submitted by Court Administrator Jose Midas P. Marquez (now a member of this Court) and Deputy Court Administrator Jenny Lind R. Aldecoa-Delorino.

[69] Id. at 342.

[70] Id. at 343.

[71] Republic Act No. 6713, Code of Conduct and Ethical Standards for Public Officials and Employees (1989).

[72] Id. at 344-350.

[73] Id. at 351.

[74] Rollo (OCA IPI No. 16-4615-P), pp. 2-7.

[75] Id. at 3-7

[76] Id. at 14-34.

[77] Id. at 15.

[78] Id. at 15-17.

[79] Id. at 20-32.

[80] Judge Delos Santos v. Olivar, OCA IPI No. 16-4615-P, July 15, 2019 (Notice, Third Division), id. at 196-199.

[81] Id. at 208-210, Letter dated October 29, 2019.

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[82] Rollo (OCA IPI No. 18-2963-MTJ), pp 2-5, Affidavit-Complaint (For Administrative Violations of the [P]rovisions of: The New Code of Conduct for the Philippine Judiciary).

[83] Id. at 7-8.

[84] Id. at 9-10.

[85] Id. at 13-14.

[86] Id. at 2-13.

[87] Id. at 23-27.

[88] Bejarasco Jr. v. Judge Delos Santos, OCA IPI No. 18-2963-MTJ; Cartilla v. Judge Delos Santos, OCA IPI No. 16-2848-MTJ; Judge Delos Santos v. Cartilla, A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P]; Olivar v. Judge Delos Santos, A.M. No. MTJ-19-1929 [Formerly OCA IPI No. 16-2859-MTJ]; and Judge Delos Santos v. Olivar, OCA IPI No. 16-4615-P, July 01, 2019 (Notice, Second Division), id. at 100-102.

[89] Id. at 103-119.

[90] Id. at 111.

[91] Rules on Expedited Procedures in the First Level Courts, March 1, 2002. Sec. 8. Payment of filing fees. –

> . . . .
>
> However, if more than five (5) small claims are filed by one party within the calendar year, regardless of the judicial station, an additional filing fee of Five Hundred Pesos (P500.00) shall be paid for every claim filed after the fifth (5th) claim, and an additional One Hundred Pesos (P100.00) or a total of Six Hundred Pesos (P600.00) for every claim filed after the tenth (10th) claim, and another One Hundred Pesos (P100.00) or a total of Seven Hundred Pesos (P700.00) for every claim filed after the fifteenth (15th) claim, progressively and cumulatively.
>
> . . .
>
> If the plaintiff is engaged in the business of lending, banking, and similar activities, the amount of filing and other legal fees shall be the same ns those applicable to cases filed under the regular rules of procedure.

[92] Id. at 112.

[93] Id. at 117.

[94] Id. at 118.

[95] Rollo (OCA IPI No. 19-3067-MTJ), p. 500.

[96] Id. at 1-5.

[97] Id. at 4, 500-501.

[98] Id. at 462-465, Comment.

[99] Id. at 417-421, Compliance letter dated December 5, 2019.

[100] Id. at 253-255, Letter dated December 12, 2016.

[101] Id. at 550-506. The February 15, 2023 Report was submitted by Court Administrator Raul B. Villanueva (now a member of this Court) and Deputy Court Administrator Jenny Lind R. Aldecoa-Delorino.

[102] Id. at 506.

[103] Id. at 503.

[104] Id. at 504.

[105] Id. at 504-505.

[106] Dr. Fonghe v. Bajarias-Cartilla, 517 Phil. 359 (2006) [Per J. Azcuna, Second Division]. See also rollo (OCA IPI No. 19-3067-MTJ), p. 505.

[107] Rollo (OCA IPI No. 19-3067-MTJ), p. 505.

[108] See Anonymous v. Judge Buyucan, 837 Phil. 1, 10 (2018) [Per Curiam, En Banc]. Citation omitted.

[109] Id.

[110] Canon 5, Rule 5.07, Code of Judicial Conduct.

[111] SEC. 76. Miscellaneous Powers of Justice of the Peace. — A justice of the peace shall have power anywhere within his territorial jurisdiction to solemnize marriages, authenticate merchants' books, administer oaths and take depositions and acknowledgment, and in his capacity as ex officio notary public, may perform any act within the competency of a notary public.

[112] The Judiciary Act of 1948.

[113] Sec. 242. Officers acting as notaries public ex officio. — Except as otherwise specially provided, the following officials, and none other, shall be deemed to be notary public ex officio, and as such they are authorized to perform within the limits of their territorial jurisdiction as hereinbelow defined, all the duties appertaining to the office of the notary public:

> . . . .
>
> (c) Justices of the peace, within the limits of the territory over which their jurisdiction as justices of the peace and other officers who are by law vested with the office of justice of the peace ex officio shall not solely by reason of such authority, be so entitled to act in the capacity of notaries ex officio.

[114] EXECUTIVE ORDER NO. 292, approved on July 25, 1987.

[115] Circular No. 1-90, Power of the Municipal Trial Court Judges and Municipal Circuit Trial Court Judges to Act as Notaries Public Ex Officio (1990).

[116] Rollo (OCA IPI No. 16-2848-MTJ), p. 481.

[117] Rollo (OCA IPI No. 16-2848-MTJ), pp. 299-300, 312-313, 482-483.

[118] 728 Phil. 1 (2014) [Per J. Leonen, Third Division].

[119] Id. at 18.

[120] Id.

[121] Uy v. Judge Lorredo, A.M. No. MTJ-24-023 [Formerly OCA IPI No. 18-2966-MTJ], August 6, 2024 [Per Curiam, En Banc]. (Citations omitted)

[122] Id.

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[123] Rollo (OCA IPI No. 16-2848-MTJ), pp. 8-9.

[124] Id. at 225.

[125] Id. at 486.

[126] Id. at 240.

[127] See Uy v. Judge Lorredo, A.M. No. MTJ-24-023, August 6, 2024 [Per Curiam, En Banc].

[128] Anonymous Letter-Complaint against Atty. Mordes, 592 Phil. 102 (2008) [Per J. Austria-Martinez, En Banc].

[129] Id. at 121-122.

[130] A.M. No. 21-08-09-SC, February 22, 2022, Further Amendments to Rule 140 of the Rules of Court.

[131] Solema v. Almeda-Fajardo, 947 Phil. 22, 29 (2023) [Per J. Singh, En Banc].

[132] REV. RULES OF COURT, Rule 140, sec. 14.

[133] REV. RULES OF COURT, Rule 140, sec. 17(1).

[134] REV. RULES OF COURT, Rule 140, sec. 16.

[135] REV. RULES OF COURT, Rule 140, sec. 17(3).

[136] REV. RULES OF COURT, Rule 140, sec. 20.

[137] See Santiago-Avila v. Narisma, Jr., A.M. No. P-21-027 [Formerly OCA IPI No. 17-4769-P], January 31, 2023 [Per Curiam, En Banc].

[138] Rollo (A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P]), pp. 342-343.

[139] See Judge Santiago v. Fernando, 933 Phil. 720, 728 (2023) [Per J. Rosario, En Banc]. (Citation omitted)

[140] See Fernandez v. Judge Hamoy, 479 Phil. 840, 845 (2004) [Per Curiam, En Banc]. (Citations omitted)

[141] 2002 Revised Manual for Clerks of Court, sec. 2.1.2.2.(a.3).

[142] 2002 Revised Manual for Clerks of Court, sec. 2.1.2.2.(c.1).

[143] A.M. No. P-14-3248, January 10, 2023 [Per Curiam, En Banc].

[144] 820 Phil. 540 (2017) [Per J. Caguioa, Second Division].

[145] See id. at 545.

[146] Id. at 546.

[147] See Judge Gapas-Agbada v. Guerrero, 941 Phil. 96, 148 (2023) [Per Curiam, En Banc].

[148] REV. RULES OF COURT, Rule 140, sec. 14.

[149] REV. RULES OF COURT, Rule 140, sec. 16(a).

[150] Rollo (A.M. No. P-19-4008 [Formerly OCA IPI No. 16-4548-P]), p. 370.

[151] See Office of the Court Administrator v. Delicana, A.M. No. P-17-3768 [Formerly OCA IPI No. 17-4734-P], April 11, 2024 [Per J. Hernando, En Banc].

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[152] Rollo (OCA IPI No. 19-3067-MTJ), pp. 166-168.

[153] Id. at 505.

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