HON. MONTANO C. MEDEL, JR., COMPLAINANT, VS. AILEEN L. GUILLEN, FORMER UTILITY WORKER I, BRANCH 2, MUNICIPAL TRIAL COURT IN CITIES, BACOLOD CITY, NEGROS OCCIDENTAL, RESPONDENT.

A.M. No. P-25-225 (Formerly OCA IPI No. 19-4969-P), August 05, 2025

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PER CURIAM:

This administrative case stemmed from the Incident Report[1] dated September 12, 2019 of Hon. Montano C. Medel, Jr. (Judge Medel), Presiding Judge, Branch 2, Municipal Trial Court in Cities (MTCC), Bacolod City, Negros Occidental, concerning Aileen L. Guillen (Guillen), then Utility Worker I of the same court, who allegedly charged irregular fees for solemnization of civil marriages raffled to his sala.[2] The Incident Report bore the following details:[3]

April 30, 2019

Contracting parties Nimuel David Abella Morcillo and Shaneen Vasquez Bacong went to the office with the intention of paying [PHP] 100.00 for each sponsor because of the text message sent by Aileen L. Guillen charging them [PHP] 100.00 [for] each sponsor or a total of [PHP] 2,100.00 for the 21 sponsors.

June 20, 2019

Memorandum 02-2019 was issued reminding the staff to lock the Courtroom door at all times for security reason[s] and to stop Aileen L. Guillen from transacting and processing marriages considering that the attention of the undersigned was called by reason of Ms. Guillen's charging exorbitant fees for marriage solemnization without the knowledge and consent of the undersigned.

September 2, 2019

Memorandum 05-2019 was issued . . . to Aileen L. Guillen for her to explain within 72 hours why she should not be administratively liable for charging [PHP] 100.00 to [PHP] 200.00 [from] each sponsors [sic] and another [PHP] 2,000.00 termed as "TO EXPEDITE" for the release of a copy of Marriage Contract from the Philippine Statistics Authority (PSA).

The Incident Report was submitted to the Office of the Court Administrator (OCA). The Affidavit[4] of Shaneen Vasquez Bacong-Morcillo (Shaneen) was attached, stating that Guillen messaged her on April 17, 2019, demanding PHP 100.00 from each of their 21 wedding sponsors or a total of PHP 2,100.00. On April 30, 2019, or six days after the wedding ceremony, Shaneen and her husband went to Branch 2, MTCC, Bacolod City to give the moriey to Guillen. Inside the court, they spoke with the Branch Clerk of Court, Atty. Gemma M. Blaquera (Atty. Blaquera), who told them that the court does not collect any amount from wedding sponsors-. Guillen, who was standing beside Atty. Blaquera, denied that she was collecting the said amount from the parties. Shaneen was therefore constrained to show Guillen's message to Atty. Blaquera and Judge Medel, bearing Guillen's demand that the sponsors pay PHP 100.00 each.[5] Shaneen's mother, Joy Bacong, also issued an Affidavit[6] attesting

that during her daughter's wedding ceremony on April 24, 2019, Guillen gave her an envelope, telling her that it was intended for cash collection from the principal sponsors.[7]

Too, Judge Medel indicated in his Memorandum No. 05-2019[8] that Guillen would charge another PHP 2,000.00 "to expedite" the release of the copy of the marriage contract from the Philippine Statistics Authority (PSA).[9]

Judge Medel further cited in his Incident Report the Memorandum No. 03-2019,[10] calling Guillen's attention to her practice of borrowing money from litigants and others who were attending the proceedings before his sala.[11] Judge Medel attached the demand letters sent to Guillen by Milaluna Pulohanan,[12] Negros Safe Lending, Inc.,[13] Nenita Ellorimo,[14] and Mailou Santillan[15] demanding payment of her debts in the amounts of PHP 20,000.01, PHP 230,267.50, PHP 342,396.00, and PHP 50,000.00, respectively.

On August 28, 2019, Guillen tendered her resignation.[16] The OCA, thereafter, sent three Indorsements to Guillen directing her to file a comment on the charges. Registry return receipts showed that the Indorsements were received by Guillen, but she did not comply with any of them.[17]

Report and Recommendation of the Judicial Integrity Board

By its Report and Recommendation[18] dated July 1, 2024, the Judicial Integrity Board (JIB) emphasized that Guillen's failure to file comment resulted in her waiver to participate in the proceedings.[19] It found Guillen liable for gross misconduct for charging money to individuals relative to the solemnization of marriages raffled to the sala of Judge Medel. The penalty of dismissal from the service was found to be appropriate.[20] Since Guillen already resigned on August 27, 2019, in lieu of dismissal from the service, the JIB recommended the forfeiture of her benefits, except accrued leave credits, and perpetual disqualification from reemployment in any branch or instrumentality of the government, including government-owned or -controlled corporations.[21] Thus:

> IN VIEW OF THE FOREGOING, it is respectfully submitted for the consideration of the Honorable Board that the instant matter be RE-DOCKETED and the following recommendations be made to the Supreme Court:
>
> 1)
>
> [R]espondent Aileen L. Guillen, former Utility Worker I, Branch 2, Municipal Trial Court in Cities, Bacolod City, Negros Occidental, be found GUILTY of Gross Misconduct Constituting Violations of the Code of Conduct for Court Personnel; and
>
> 2)
>
> Since Guillen can no longer be dismissed from the service given her resignation, that her retirement and other benefits be instead FORFEITED, except for accrued leave credits, and that she be PERPETUALLY DISQUALIFIED from reemployment in any branch or instrumentality of the government, including government-owned or [-]controlled corporations.[22]
>
> Our Ruling

At the outset, Guillen's administrative liability subsists notwithstanding her resignation pending investigation of the report against her. In Office of the Court Administrator v. Juan,[23] We held that a court personnel's resignation does not render the case moot. Resignation is not a way out to evade administrative liability when court personnel are facing an administrative sanction.[24] We reiterate this principle in a case where a public officer filed her resignation prior to the date she was set to appear for a formal investigation, thus:

> [W]e view respondent's act of filing her resignation before the investigation as indicative of her guilt. Indeed, an employee's act of tendering her resignation immediately after the discovery of the anomalous transaction is indicative of her guilt as flight in criminal cases. And, resignation is not a way out to evade administrative

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> liability when a court employee is facing administrative sanction.[25]

Here, Guillen had been receiving memoranda from Judge Medel since April to June 2019, or prior to her resignation in August 2019. These memoranda required her to explain the complaint that she was charging irregular fees to parties whose marriages were solemnized in the sala of Judge Medel. Also, Judge Medel received copies of letters dated May 22, 2019, June 7, 2019, July 20, 2019, and July 25, 2019, demanding payment from Guillen of her debts to Nenita Ellorimo, Milaluna Pulohanan, Negros Safe Lending, Inc., and Mailou Santillan, respectively.[26] Certainly, Guillen's voluntary severance from government service does not preclude the filing of an administrative case against her given that her resignation was obviously done to avert the formal filing of administrative charges against her.

In any event, the Court notes that Guillen has repeatedly failed to submit her comment despite the three directives of the OCA to file the same. Hence, she is deemed to have waived her right to do so. In Mendoza v. Tablizo,[27] the Court ordained:

> The failure of Tablizo to appear and answer the charges against him despite all the opportunities he was given constitutes a waiver of his right to defend himself. As correctly observed in the Memorandum of the Office of the Court Administrator, in the natural order of things, a man would resist an unfounded claim or imputation and defend himself. It is totally against human nature to remain silent and say nothing in the face of false accusations. In the case at bar, Tablizo's silence may be construed as an implied admission and acknowledgment of the veracity of the allegations stated in the sworn Letter-Complaint filed by Mendoza—the veracity of which he could have easily debunked had he come to the fore to assail them. By his silence, he admitted, albeit tacitly, the allegations subscribed and sworn to by Mendoza that he cancelled the auction sale without the knowledge of the Executive Judge and without notice to Mendoza[.][28] (Emphasis supplied)

The principle in Mendoza was reiterated in Anonymous Complaint v. Dagala[29] and Guinto-Hanif v. Perez[30] where the Court categorically held that allegations, if left uncontroverted and unexplained, constitute a ground for disciplinary action. More, one's failure to answer the administrative charges against him or her constitutes an implied admission of the allegations stated in the sworn complaint.[31]

We consistently ruled in Office of the Court Administrator v. Laya,[32] Office of the Court Administrator v. Cunting,[33] Anacta v. Resurreccion,[34] Office of the Court Administrator v. Savadera,[35] Bandoy v. Jacinto, Jr.,[36] Office of the Court Administrator v. Alauya,[37] HDI Holdings Philippines, Inc. v. Cruz,[38] Yoshimura v. Panagsagan,[39] and Domingo-Agaton v. Cruz,[40] that it is the natural instinct of a human being to resist an unfounded claim. It is totally against our human nature from just remain reticent and say nothing in the face of false accusations. Hence, "silence in such cases is almost always construed as an implied admission of the truth thereof." Qui tacet consentive videtur. Silence gives consent.[41]

Verily, Guillen's silence operates as a tacit admission of the allegations subscribed and sworn to by Judge Medel. In any event, records show that the damning evidence against Guillen goes way beyond her mere silence.

Here, Guillen was caught red-handed charging irregular fees for civil marriages solemnized by Judge Medel. She even acted as a "fixer" by demanding an additional amount of PHP 2,000.00 from the parties, purportedly "to expedite" the release of a copy of the marriage contract from the PSA. Further, her practice of borrowing money and refusing to pay just debts despite incessant demands from her creditors equally compels an appropriate sanction.[42] She exploited her position as court personnel and went beyond her official function as a utility worker, thereby misleading the public and inducing them to part with their money. Taken together, her acts adversely and gravely affected the image and integrity of the court of which she was known to be an employee.[43] To be sure, it matters not that Guillen's acts were not work-related. "Employees of the Judiciary should be living examples of uprightness, not only in the performance of official duties, but also in their personal

and private dealings with other people."[44]

Based on the unrefuted substantial evidence on record, We modify the JIB's finding of gross misconduct against Guillen and instead, find her liable for "prejudicial conduct that gravely besmirches or taints the reputation of service" under Section 14(l), Rule 140 of the Rules of Court, as amended. This covers acts or omissions which are not strictly part of the performance of one's official functions, but are nonetheless punished as they diminish or tend to diminish the people's faith in the Judiciary.[45]

We take this occasion to settle once and for all that misconduct—whether simple or gross—must have a direct relation to and be connected with the performance of the court personnel's official duties.[46] Thus, if the act of misconduct does not relate to or is not connected with the official functions and duties of the respondent-court personnel, the proper designation of the administrative offense should be "prejudicial conduct that gravely besmirches or taints the reputation of service" under Rule 140, Section 14(1) of the Rules of Court, as amended. To further understand this designation, the Court's annotations under the said Rule are instructive, viz.:

> NOTES: This charge is added to cover acts or omissions which are not strictly part of the performance of one's official functions, but nonetheless are punished as they diminish or tend to diminish the people's faith in the Judiciary.
>
> This covers oppression, as well as conduct prejudicial to the best interest of the service under the 2017 RACCS. "Oppression is also known as grave abuse of authority, which is a misdemeanor committed by a public officer, who under color of his office, wrongfully inflict[s] upon any person any bodily harm, imprisonment or other injury. It is an act of cruelty, severity, or excessive use of authority." (See Ombudsman v. Caberoy, G.R. No. 188066, October 22, 2014)
>
> On the other hand, conduct prejudicial to the best interest of the service refers to acts that "tarnish the image and integrity of [a] public office" without a "direct relation to or connection with the performance of [one's] official duties." (Office of the Ombudsman-Visayas v. Castro, 759 Phil. 68 [2015]) It must be noted, however, that based on existing jurisprudence, "conduct prejudicial to the best interest of the service" tends to become some sort of a blanket offense to cover all other misdeeds not falling under any specific offense already listed in the Rule. To remedy this situation, the offense is reformulated to "prejudicial conduct that gravely besmirches or taints the reputation of the service."[47] (Emphasis in the original)

In fine, to fall under "prejudicial conduct that gravely besmirches or taints the reputation of the service," the act complained of should: (a) be without a direct relation or connection with the performance of the respondent-court personnel's official duties; and (b) not be covered by any other specific offense already listed in the Rules.[48]

Hence, any prior rulings of the Court which designate the serious offense as gross misconduct although the act has no direct relation to, or connection with the performance of official duties, are deemed abandoned.

The Court underscores anew that the image of a court of justice is necessarily mirrored in the conduct, official or otherwise, of the men and women who work thereat, from the judge to the least and lowest of its personnel. Thus, it becomes the sacred duty of each and every one in the court to maintain its good name and stand as a true temple of justice. As frontliners in the administration of justice, court personnel should live up to the strictest standards of honesty and integrity in the public service, and in this light, are always expected to act in a manner free from reproach. Any conduct, act, or omission that may diminish the people's faith in the Judiciary will never be tolerated.

Having established Guillen's administrative liability, the Court now determines the proper penalty to be imposed on her.

Under Rule 140, Section 14 of the Rules of Court, as amended by A.M. No. 21-08-09-SC dated February 22,

2022, "prejudicial conduct that gravely besmirches or taints the reputation of the service" is considered a serious offense where the penalty of dismissal may be imposed.[49] In the same Rule, a respondent who is found liable for the commission of a serious charge, but has already been separated from the service-due to resignation, retirement, or other modes except for death, may be meted any of the following penalties, in lieu of dismissal:

> a. Forfeiture of all or part of the benefits as the Supreme Court may determine, 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; and/or
>
> b. [A fine of more than PHP100,000.00 but not exceeding PHP200,000.00.][50] (Emphasis supplied)

Applying Rule 140 of the Rules of Court, as amended by A.M. No. 21-08-09-SC, the Court, in lieu of dismissal from the service, imposes on Guillen PHP 150,000.00 fine, with forfeiture of benefits, except accrued leave credits, and perpetual disqualification from reinstatement or appointment to any public office.

ACCORDINGLY, respondent Aileen L. Guillen, former Utility Worker I, Branch ·2, Municipal Trial Court in Cities, Bacolod City, Negros Occidental, is found GUILTY of prejudicial conduct that gravely besmirches or taints the reputation of the service under Rule 140, Section 14(1) of the Rules of Court, as amended by A.M. No. 21-08-09-SC, for which she should be dismissed from the service. But since she had already resigned, this penalty can no longer be implemented. In lieu of dismissal, therefore, a FINE of PHP 150,000.00 is imposed on Aileen L. Guillen. All her benefits, if any, except accrued leave credits, are ordered FORFEITED. Further, she is PERPETUALLY DISQUALIFIED from reemployment in any branch or instrumentality of the government, including government -owned or -controlled corporations.

SO ORDERED.

Gesmundo, C.J., Leonen, SAJ., Caguioa, Hernando, Lazaro-Javier, Inting, Gaerlan, Rosario, J. Lopez, and Kho, Jr., JJ., concur.
Dimaampao, J., see concurring and dissenting opinion.
Zalameda,[*] Marquez,[*][*] and Villanueva,[*][*][*][*] JJ., on official business.
Singh,[*][*][*] J., on leave.

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[*] On official business.

[*][*] On official business.

[*][*][*] On leave.

[*][*][*][*] On official business.

[1] Rollo, pp. 3-5.

[2] Id.

[3] Id. at 3-4.

[4] Id. at 17-18.

[5] Id. at 17.

[6] Id. at 20.

[7] Id.

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[8] Id. at 14.

[9] Id.

[10] Id. at 4.

[11] Id.

[12] Id. at 8-9.

[13] Id. at 10.

[14] Id. at 11.

[15] Id. at 12.

[16] Id. at 22.

[17] Id. at 35.

[18] Id. at 32-39.

[19] Id. at 36-37.

[20] Id. at 37-38.

[21] Id. at 39.

[22] Id.

[23] 478 Phil. 823 (2004) [Per Curiam, En Banc].

[24] Id. at 828-829.

[25] Re: (1) Lost Checks Issued to the Late Melliza, Former Clerk II, MCTC, Zaragga, Iloilo; and (2) Dropping from the Rolls of Ms. Andres, 537 Phil. 634, 649-650 (2006) [Per Curiam, En Banc], as cited in Office of the Ombudsman v. Hermosura, 920 Phil. 1, 8 (2022) [Per J. Gaerlan, Second Division].

[26] Rollo, pp. 8-12.

[27] 614 Phil. 30 (2009) [Per C.J. Puno, En Banc].

[28] Id. at 35, as cited in Guinto-Hanif v. Perez, 950 Phil. 533, 540 (2024) [Per Curiam, En Banc].

[29] 814 Phil. 103 (2017) [Per Curiam, En Banc].

[30] 950 Phil. 533 (2024) [Per Curiam, En Banc].

[31] Id. at 539.

[32] 550 Phil. 432 (2007) [Per Curiam, En Banc].

[33] 564 Phil. 453 (2007) [Per J. Nachura, En Banc].

[34] 692 Phil. 488 (2012) [Per J. Del Castillo, En Banc].

[35] 717 Phil. 469 (2013) [Per Curiam, En Banc].

[36] 747 Phil. 156 (2014) [Per J. Mendoza, Second Division].

[37] 802 Phil. 1 (2016) [Per Curiam, En Banc].

[38] 837 Phil. 587(2018) [Per Curiam, En Banc].

[39] 840 Phil. 16 (2018) [Per Curiam, En Banc].

[40] 902 Phil. 1 (2021) [Per Curiam, En Banc].

[41] Mitchell v. Amistoso, 882 Phil. 35, 40 (2020) [Per C.J. Peralta, En Banc].

[42] Spouses Caños v. Escobido, 805 Phil. 141, 151 (2017) [Per J. Jardeleza, Third Division].

[43] See Office of the Court Administrator v. Galan, 954 Phil. 90, 95 (2024) [Per Curiam, En Banc].

[44] See Ygnacio v. Olivar, A.M. No. P-22-032, January 11, 2023 [Notice, Third Division].

[45] Judge Zarate-Fernandez v. Lovendino, 827 Phil. 191, 199 (2018) [Per Curiam, En Banc].

[46] See Alentajan v. De Jesus, 955 Phil. 24, 33 (2024) [Per J. Kho, Jr., En Banc].

[47] Id. at 34-35.

[48] Id.

[49] RULES OF COURT, Rule 140, secs. 14(a) and (l), as amended by A.M. No. 21-08-09-SC (2022).

[50] RULES OF COURT, Rule 140, secs. 17, 18, as amended by A.M. No. 21-08-09-SC (2022).

CONCURRING AND DISSENTING OPINION

DIMAAMPAO, J.:

I concur in holding respondent Aileen L. Guillen administratively liable for prejudicial conduct that gravely besmirches or taints the reputation of the service for her questionable practices during her tenure as Utility Worker I of the Municipal Trial Court in Cities, Branch 2, Bacolod City, Negros Occidental.

Nevertheless, I cannot subscribe to the majority view that echoes the doctrine that "one's failure to answer the administrative charges against him or her constitutes an implied admission of the allegations stated in the sworn complaint."[1] It is my humble opinion that this does not hew with the provisions of Rule 140, which ought to be controlling in the present case until such time as it is amended.

At the outset, I must clarify that I fully recognize the supreme authority of the Court, sitting en banc, in both establishing doctrine and disciplining its own ranks.

I concede that the above-mentioned doctrine, first laid down in Mendoza v. Tablizo,[2] was reiterated as recently as the bane case of Guinto-Hanif v. Perez,[3] thus, it remains good case law.

However, as I argued during the deliberations of this case, this doctrine appears inconsistent with the well-established principle that in administrative cases, the quantum of proof required remains to be substantial evidence, the burden of which rests with the complainant.[4] In fact, the necessity of independent proof is even encapsulated in Rule 140 itself:

> SECTION 1. How Instituted.—
>
> (1) Motu Proprio Against those who are not Members of the Supreme Court.— Proceedings for the discipline of

> the Presiding Justices and Associate Justices of the Court of Appeals, the Sandiganbayan, the Court of Tax Appeals, the Shari'ah High Court, and Judges of the first and second level courts, including the Shari'ah District or Circuit Courts, as well as the officials, employees, and personnel of said courts and the Supreme Court, including the Office of the Court Administrator, the Judicial Integrity Board, the Philippine Judicial Academy, and all other offices created pursuant to law under the Supreme Court's supervision may be instituted, motu proprio, by either the Supreme Court with the Judicial Integrity Board, or by the Judicial Integrity Board itself on the basis of records, documents; or newspaper or media reports; or other papers duly referred or endorsed to it for appropriate action; or on account of any criminal action filed in, or a judgment of conviction rendered by the Sandiganbayan or by the regular or special courts, a copy of which shall be immediately furnished to the Supreme Court and the Judicial Integrity Board.
>
> (2) By Complaint Against those who are not Members of the Supreme Court.— Disciplinary proceedings against those mentioned in Section 1 (1) of this Rule may also be instituted with the Judicial Integrity Board by any interested person either by way of a verified complaint supported by affidavits of persons who have personal knowledge of the facts alleged therein or by authentic documents which may substantiate its allegations; or by way of an anonymous complaint, provided, that its material averments may be readily verified, and/or substantiated by competent evidence, including public records.[5] (Emphasis supplied)

Indeed, I submit that any and all findings of administrative liability must still rise and fall on the strength of the substantial evidence, whether documentary or object, that is submitted or collected against a respondent.

To be clear, I do not deny that admissions may form the factual basis of administrative culpability. But the failure to file an answer or comment to a complaint should not be taken as a wholesale admission to any and all allegations against the respondent, specifically when the governing Rules, i.e. Rule 140, already provides a particular consequence for such an action.

To my mind, there is nothing in Rule 140 which supports this contention advanced by the majority. On the contrary, the Rule 140 provides the specific consequence to respondent's failure to file an answer to a complaint[6] or to attend a hearing,[7] i.e., waiving the right to present controverting evidence:

> SECTION 3. Initial Action.—
>
> . . . .
>
> (3) Consequence of Respondent's Failure to Answer or Comment. — Failure of the respondent to file his or her verified answer or comment in accordance with Section 3 (1) or (2) above shall, unless otherwise justified, result in his or her waiver to participate in the proceedings, and the investigation may proceed based on the available evidence on record. (Emphasis supplied)
>
> SECTION 6. Procedure for Formal Investigation.—
>
> . . . .
>
> (2) When Hearings are Required.— ...
>
> During such hearings, the parties may be heard by themselves and/or counsel. If after due notice, the complainant or respondent fails to appear, the investigation shall proceed ex parte. Furthermore, the parties may present documentary and/or object evidence, as well as testimonial evidence in the form of judicial affidavits to serve as the direct testimony of the parties and of their witnesses; after which, they may be cross-examined by the other party or parties, or through counsel, and may be examined by the Chairperson and members of the Judicial Integrity Board. (Emphasis supplied)

Notably, the above-quoted provision also provides that upon the respondent's waiver, the investigation may proceed "based on the available evidence on record." This further emphasizes that complaints must still be backed

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by substantial evidence.

It bears stressing that the Court may certainly adopt a different rule. It may also indicate under the Rules of Court that failure to file an answer or comment could result in a veritable admission of the allegations in the complaint. But until such time as Rule 140 is amended to reflect such a doctrine, I submit that the Court ought to apply its provisions as they are.

As the author of Rule 140, as well as the enforcer thereof, the Court must be the first to apply its provisions as intended. This promotes obeisance to the rule of law and serves as a guarantee to the public that we do not wield unchecked discretion.

As a final word, I must restate that my observations proceed first and foremost from a place of caution. I have the utmost respect for my learned colleagues. However, I submit that in disciplining our ranks we must always act with the highest prudence and fairness.

Still, since the ponencia itself recognizes that even with Guillen's silence, records show that there is damning evidence against her,[8] I concur with the result.

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[1] Ponencia, p. 5.

[2] 614 Phil. 30-39 (2009) [Per C.J. Puno, En Banc].

[3] A.M. No. P-23-082, January 30, 2024 [Per Curiam, En Banc].

[4] See Gapas-Agbada v. Guerrero, A.M. No. P-23-084, OCA IPI No. 12-4000-RTJ & A.M. No. P-23-086, etc., April 25, 2023 [Per Curiam, En Banc].

[5] Rule 140, sec. 1, as amended by A.M. No. 21-08-09-SC, February 22, 2022.

[6] Rule 140, sec. 3 (3).

[7] Rule 140, sec. 6 (2).

[8] Ponencia, p. 4.

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