

PEDRO ROQUE, MARINA REYES, EUGENIO ROQUE AND MYRNA GLORIA, COMPLAINANTS, VS. STENOGRAPHER ZENAIDA GRIMALDO, RTC, BRANCH 7, MALOLOS, BULACAN, RESPONDENT.

A.M. No. P-95-1148. July 30, 1996

Ponente: ROMERO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/f95d9a82eaf7/>

ROMERO, J.:

On May 3, 1995, Executive Judge Natividad Dizon forwarded to the Office of the Court Administrator two separate sworn-complaints against Court Stenographer Zenaida Grimaldo, together with the latter's comment, for further appropriate action.

In the first case, complainants Pedro Roque, Eugenio Roque, Maria Reyes and Myrna Gloria alleged that as heirs of Angelina Roque, they owned a parcel of land in San Nicolas, Bulacan covering more or less 2,091 square meters with TCT No. T-212006 of the Bulacan Register of Deeds. Desiring to settle and subdivide the subject property, they delivered the title to herein respondent on February 19, 1992, believing in good faith that the latter, being a court employee, would help them facilitate with ease the processing of papers and documents relative to the title of the land.

According to the complainants, they first gave respondent Grimaldo P2,500.00 on February 15, 1993, supposedly for the reconstitution of the title. On March 19, 1993, respondent demanded from the complainants P10,000.00 for payment of taxes and the additional amount of P4,000.00 on July 5, 1994 for the full payment in the processing of their title. Complainants further claimed that on January 30, 1995, after the lapse of almost three (3) years, respondent Grimaldo demanded an additional sum of P4,000.00 and promised to give their title on February 10, 1995. However, as of the filing of this complaint, respondent Grimaldo has not given the promised title nor has she returned the money complainants gave her.

With respect to the second case, complainants Fortunato Mateo and Ismael Hipolito averred that they have land holdings located at Matungao and San Francisco, Bulacan. Confident that herein respondent, being a court employee, could assist them with respect to the title of their lands, complainants entrusted to her the necessary papers and documents for processing.

Complainant Mateo further alleged that respondent Grimaldo asked him for (a) P18,000.00 in 1993 supposedly as processing fee which was unreceipted, (b) P4,500.00 on August 14, 1993 with the corresponding acknowledgment receipt, and (c) P10,000.00 on February 12, 1994 supposedly to help facilitate the processing of his land title.

Complainant Hipolito, for his part, alleged that on August 10 and 15, 1993, he gave respondent Grimaldo a total of P10,000.00 for the processing of his land title.

After the lapse of a considerable length of time, complainants were constrained to seek the help of the Barangay Council but respondent failed to appear at the appointed time to meet with them. Desperate, complainants instead demanded from respondent the return of their land titles but to no avail. Thus, the filing of these administrative

cases against respondent for acts unbecoming of a court employee.

Respondent Grimaldo, on the other hand, filed her Comment to both complaints.

As to the first complaint, respondent admitted that she knew complainant Roque and his wife, being her "Compadre and Comadre." She contends that she was personally approached by complainants Roque, et al. and was asked to help in subdividing the property left by complainants' deceased mother as well as in facilitating the transfer of said property's title to their respective names. Respondent further alleged that since complainants could not afford to hire the services of a lawyer, she was prevailed upon by them to act on the matter personally with the assurance that the latter would pay for the necessary expenses. Respondent likewise admitted having received money from complainants which was purportedly spent for survey and subdivision of the property, as well as for payment of taxes and other registration fees. Respondent, however, denied having demanded another P4,000.00 on January 30, 1995. Finally, respondent bewailed the fact that despite her continued explanation and plea to herein complainants that the delay in the processing of their documents is beyond her control, complainants refused to understand and further accused her of taking advantage of their money and property for her own personal use. This, according to respondent, had caused her humiliation and earned her a bad reputation among the authorities, her relatives, and her peers at the Court.

Insofar as the second complaint is concerned, respondent admitted that she knew complainants Mateo and Hipolito. As her defense, she alleged that the matter referred to by complainant Mateo had long been finished, terminated and closed since the issue of the proper and equal sharing, as well as the personal feud among the heirs of the subject property remain unresolved.

The P10,000.00 allegedly taken by herein respondent from complainant Mateo is in fact a personal loan with corresponding rate of interest. With respect to the allegations of complainant Hipolito, respondent dismissed the matter as not having materialized due to a dispute which arose between vendor and vendee in connection with the amount of the sale, its mode of payment and the lay-out on how the relocation and subdivision of the subject property would be carried out. Respondent added that the balance which was intended for expenses to be incurred was properly returned to complainant Hipolito with the corresponding receipt.

In the resolution of July 12, 1995, this Court referred the administrative cases to Executive Judge Natividad G. Dizon for investigation, report and recommendation.

In her Report and Recommendation dated December 28, 1995, the Investigating Judge concluded that respondent Grimaldo violated the established norm of conduct prescribed for court employees, thus:

"With the admission of the respondent that indeed she had received monies from the complainants in consideration of the favor she has rendered to the complainants for the processing of the reconstitution of titles and for the expenses incurred for the survey of the properties, the question now is whether the act of the respondent amounts to an administrative disciplinary action prescribed under R.A. No. 6713, otherwise known as 'Code of Conduct and Ethical Standards for Public Officials and Employees.'

The respondent occupies a stenographer position and as such her duty is essentially limited to the transcription of the records of the proceedings during a Court session and does not generally entail dealing in whatever capacity with party litigants, save in cases involving stenographic notes (*OCA vs. Bucoy*, 235 SCRA 588). By giving impression to the complainants that she can handle their problems of not only the processing of the reconstitution of their title but the ultimate transfer in their individual names the titles - an act which is outside her official function, respondent violated the established norm of conduct prescribed for court employees i.e. to maintain a hands-off attitude in matters not her duty. This is to maintain the integrity of the Court and, on the other, in order to free court personnel from suspicion of any misconduct (*Re: Josefina V. Palon*, 213 SCRA 219, cited in *OCA vs. Bucoy*, 235 SCRA 588).

Public servants involved in the administration of justice ought to live up to the strictest (sic) standard of honesty and integrity in the public service. The conduct of every personnel connected with the Courts, from the presiding judge to the lowliest clerk, should at all times be circumspect to preserve the integrity and dignity of our Courts of justice (Adm. Matter No. 93-10-1269, July 8, 1994, *Cana vs. Belen Santos*, Vol. 234 SCRA 17).

Respondent has, therefore, no business indulging in the processing of reconstitution of titles because it is prejudicial to the interest of the service. The government employees are prohibited to give favor in exchange of money consideration. And besides, the act of respondent is an act of lawyering, and not being knowledgeable about the intricacies of the legal procedure it will greatly prejudice the parties concerned and it hampers her performance as a public servant."

The Investigating Judge recommended that the appropriate penalty be imposed upon the respondent, and for the latter to return the original and/or reconstituted titles subject matter of the instant administrative cases.

In the resolution of March 13, 1996, this Court referred Judge Dizon's report to the Office of the Court Administrator for evaluation, report and recommendation.

Meanwhile, respondent submitted a motion to dismiss dated May 9, 1996 stating that complainants Roque, et al. have finally come to realize that they were wrong in filing the complaint and for which reason, they have voluntarily executed an affidavit of desistance. The aforementioned motion further stated that respondent had already returned to complainant Hipolito all his documents as well as the remaining cash he entrusted to her, while the continuous non-appearance of complainant Mateo at the past scheduled hearings shows his lack of interest in the case. Hence, respondent moved for the dismissal of the instant administrative complaints.

In its memorandum of May 23, 1996, the Office of the Court Administrator, through Deputy Court Administrator Reynaldo L. Suarez, made the following findings and evaluation:

"It is worthy to note that the Motion to Dismiss by the respondent was filed after the investigation of the Investigating Judge has already been terminated. The restoration of the cash money and documents by the respondent does not mitigate the actions of the latter considering that the offense charged has been committed. Thus, the Affidavit of Desistance by the complainants has no effect on the outcome of the present administrative cases. The offense has been committed by the respondent and the latter was found to have been remissed (sic) in the performance of his (sic) duties and responsibilities which must be administratively dealt with by this Court."

It then recommended:

"WHEREFORE, IN VIEW OF THE FOREGOING, this Office respectfully recommends that respondent Zenaida Grimaldo, Court Stenographer, RTC, Branch 7, Malolos, Bulacan, be FINED with an amount equivalent to her one (1) month salary, with a STERN WARNING that a repetition of the same and/or other similar infractions will be dealt with more severely."

The Court agrees with the findings and recommendation of both the Investigating Judge and the Office of the Court Administrator.

As pointed out by the Investigating Judge, respondent Grimaldo went beyond the functions of her office as a court stenographer when she agreed to personally process complainants' reconstitution cases. There is no question that respondent's position is essentially limited to the transcription of the records of the proceedings during a court session. Considering that her position does not generally entail dealing in whatever capacity with party litigants, save in cases involving stenographic notes, respondent's act of processing the reconstitution cases undoubtedly proved prejudicial to the best interest of the service. In entering into this kind of arrangement with complainants, respondent would necessarily have to leave her post at Branch 7 to attend to the processing of said reconstitution

cases. Moreover, respondent is laying herself open to charges of giving favors to the public in exchange for monetary consideration. Hence, our oft-repeated admonition that court personnel should refrain from dealings, financial or otherwise, which would interfere with the efficient performance of their duties.[1]

This Court stresses once again that court personnel must be beyond reproach and always be free from suspicion that may taint the judiciary.[2] As the Court reiterated[3] in *Lirios v. Oliveros*:[4]

"The conduct and behavior of everyone connected with an office charged with the dispensation of justice, the courts below not excepted, from the presiding judge to the lowest clerk, must be circumscribed with the heavy burden of responsibility. A public office is a public trust and all public officers and employees must at all times be accountable to the people, and this Court cannot countenance any act or omission which diminishes or tends to diminish the faith of the people in the judiciary."

Finally, the Affidavit of Desistance by the complainants cannot divest this Court of its jurisdiction to investigate and ascertain the truth of the matter alleged in the complaints against respondent. As this Court ruled in *Caña v. Santos*,[5] "(t)he Court has an interest in the conduct of the officials and employees of the judiciary and in improving the delivery of justice to the people and its efforts in that direction cannot be frustrated by any private arrangement of the parties."

ACCORDINGLY, in line with the recommendation of the Office of the Court Administrator, respondent Zenaida Grimaldo, Court Stenographer, RTC, Branch 7, Malolos, Bulacan, is hereby FINED in an amount equivalent to her one-month salary. She is also WARNED that the commission of the same or similar offense in the future will be more severely dealt with. She is hereby ordered to return to complainants all documents and monies she has received to facilitate the processing of their land titles. A copy of this Decision shall be spread on the personnel record of respondent.

SO ORDERED.

Regalado, (Chairman), Puno, Mendoza, and Torres, Jr., JJ., concur.

[1] *Caña v. Santos*, 234 SCRA 17 (1994).

[2] *Bernardino v. Ignacio*, Adm. Matter No. P-96-1180, February 16, 1996, citing *Re: Josefina v. Palon*, 213 SCRA 219 (1992).

[3] The Court made the same pronouncement in *Montemayor v. Collado*, A.M. No. 2519-MJ, 107 SCRA 258 (1981).

[4] Adm. Matter No. P-96-1178, February 6, 1996.

[5] *Supra*. citing *Cabandong v. Judge Calderon*, Adm. Matter No. RTJ-89-343, En Banc, Minute Resolution.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.