



Supreme Court of the Philippines Philippine Judicial Academy



PHILJA Fax/Electronic Alerts

Issue 11-12
December 2011

Clerk of Court: Violation of Administrative Circular No. 3-2000

As custodian of court funds and revenues, clerks of court are responsible for the immediate deposit of the various funds received by them to the authorized government depositories for they are not allowed to keep funds in their custody.

Respondent clerk of court failed to deposit his cash collections on time in violation of Administrative Circular No. 3-2000 which provides:

3. *Systems and Procedure.* --

x x x x x

- (c) *In the RTC, MeTC, MTCC, MTC, MCTC, SDC and SCC.* – The daily collections for the Fund in these courts shall be deposited everyday with the nearest LBP branch for the account of the Judiciary Development Fund, Supreme Court, Manila - SAVINGS ACCOUNT No. 0591-0116-34 or if depositing daily is not possible, deposits for the Funds shall be at the end of every month, provided, however, that whenever collections for the fund reach P500.00, the same shall be deposited immediately even before the period above-indicated.

A separate set of official receipts shall be used for the collections for the Fund. The official receipt issued for the Fund shall invariably indicate the prefix initial of the name of the Fund, "JDF," followed immediately by the description of the kind and nature of the collection. Official receipts for the Fund shall be provided by the Supreme Court.

Collections shall not be used for encashment of personal checks, salary checks, etc., Only Cash, Cashier's Check and Manager's Check are acceptable as payments.

For violation of said Circular, respondent was fined P5,000.00 to be deducted from his retirement benefits. **(A.M. No. P-11-2988, December 12, 2011)**

Sheriff: Grave misconduct

Section 2 (b) Canon III of A. M. No. 03-06-13-SC, Code of Conduct for Court Personnel prohibits court employees from receiving tips or any remuneration for assisting or attending to parties in transactions involved in action or proceedings with the Judiciary.

Respondent sheriff's act of receiving money from complainant's client is a violation of said Canon III of the Code of Conduct for Court Personnel.

Respondent was suspended in a previous case, hence, he was dismissed from the service with forfeiture of all benefits and with prejudice to reemployment in the government service including GOCC's. **(A. M. No. P-07-2300, November 29, 2011)**

Sheriff: Grave misconduct and dishonesty

Section 5 of P.D. 1079 regulates the conduct of members of local media as well as those of lower court personnel on the awarding of judicial notice for publication.

Said Section 5, provides:

No publisher, editor, media personnel or any person shall directly offer or give money, commission or gift of any kind to executive judges of the court of first instance or any court employee in consideration of the award of legal and judicial notices and similar announcements defined in section 1 thereof. *Neither shall the latter directly or indirectly demand of or receive from the former money, commission or gifts of any kind in consideration of any publication herein referred to.* (Italicization and underscoring supplied)

Respondent sheriff's defense that he never demanded but only received money from complainant in exchange for favors extended the latter in the publication of judicial notices does not spare him from any liability. Section 5 prohibits both acts of demanding and receiving money.

For grave misconduct and dishonesty, respondent sheriff was dismissed from the service with forfeiture of all retirement benefits and with prejudice to reemployment in the Government including GOCC's. **(A.M. No. P-09-2660, November 29, 2011)**

Stenographer: Inefficiency and violation of Administrative Circular No. 24-90

Administrative Circular No. 24-90 promulgated by the Supreme Court on July 12, 1990 and took effect on August 1, 1990 prescribed the time for completion and submission of transcript of stenographic Notes (TSN). It provided thus:

x x x x x x x

2. (a) All stenographers are required to transcribe all stenographic notes and to attach the transcript to the record of the case not later than twenty (20) days from the time the notes are taken. The attaching may be done by putting all said transcripts in a separate folder or envelop, which will then be joined to the records of the case.

(b) The stenographer concerned shall accomplish a verified monthly certification as to compliance with this duty. x x x x x

Respondent stenographer violated said circular as disclosed in the inventory submitted by her clerk of court. She failed to transcribe 109 notes in a span of 4 years.

For inefficiency and violation of A.C. no. 24-90 respondent stenographer was suspended for one year without pay **(A.M. No. P-07-2369, November 16, 2011)**

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The *PHILJA Fax/Electronic Alerts* is issued monthly by the RPLO of the Philippine Judicial Academy with offices at the 3rd Floor of the Supreme Court Centennial Building, Taft Avenue, Manila. Tel. No. (02)552-9518; Telefax; (02)552-9621
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