



Republic of the Philippines
Supreme Court
 Manila

THIRD DIVISION

SUPREME COURT OF THE PHILIPPINES
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OFFICE OF THE DEPUTY OMBUDSMAN FOR MINDANAO,
G.R. No. 219062

Petitioner,

Present:

-versus-

LEONEN, *J.*, Chairperson,
 GESMUNDO,
 CARANDANG,
 ZALAMEDA, and
 GAERLAN, *JJ.*

ANTONIETA A. LLAUDER,
 Respondent.

Promulgated:
January 29, 2020
Mis-DC Batt

X-----X

DECISION

LEONEN, J.:

Government employees must perform their duties with utmost care and responsibility, and must be held accountable for their actions at all times. There is gross neglect of duty when one's actions, even if not willfully or intentionally done to cause harm, are characterized by want of even slight care and a blatant indifference to the consequences of one's actions to other persons.¹

This Court resolves a Petition for Review on Certiorari² filed by the Office of the Deputy Ombudsman for Mindanao (Office of the Deputy Ombudsman). It assails the Decision³ and Resolution⁴ of the Court of

¹ *Office of the Ombudsman v. De Leon*, 705 Phil. 26, 37–38 (2013) [Per J. Bersamin, First Division].

² *Rollo*, pp. 14–31.

³ *Id.* at 33–44. The December 8, 2014 Decision in CA-G.R. SP No. 03269-MIN was penned by Associate Justice Edward B. Contreras and concurred in by Associate Justices Edgardo T. Lloren and Rafael Antonio M. Santos of the Twenty-Third Division, Court of Appeals, Cagayan de Oro City.

Appeals, which modified its findings by lowering the administrative offenses committed by Antonieta Llauder (Llauder) from gross neglect of duty and conduct prejudicial to the best interest of the service, with a suspension of six (6) months, to just simple neglect of duty, with three (3) months' suspension.

Llauder worked at the Office of the Civil Registrar in Iligan City as an assistant registration officer, alongside Georgette Dacup (Dacup), the City Civil Registrar, and Norma Aranton (Aranton), the officer-in-charge of the Marriage License Registration Division.⁵

On February 6, 2006, Benjamin K. Edmilao II (Edmilao) filed a Complaint⁶ against all three of them before the Office of the Deputy Ombudsman. They were accused of dishonesty and conduct prejudicial to the best interest of the service for willfully and maliciously assisting and conspiring to register a spurious marriage certificate between Edmilao and one Mylain S. Chu (Chu).⁷

Edmilao alleged that sometime in 2002, his aunt, Mary Ann Busico (Busico), requested him to sign an application for marriage license for "game play" so that Chu, her travel agency's client, could go abroad. Edmilao acceded to Busico's request since she allegedly promised that the application would not be registered with the City Registrar's Office.⁸

Only later would he discover that a marriage certificate had indeed been registered with the Civil Registry of Iligan City.⁹

Edmilao pointed out how under the marriage certificate, he and Chu got married on July 30, 1997 before Reverend Father Gervacio Flores at the Holy Child Parish Philippine Independent Church in Iligan City. It was stated at the back of the certificate that the solemnizing officer's oath appeared to have been notarized by one Atty. Alfredo R. Busico (Atty. Alfredo) on June 11, 1997, 49 days before the supposed ceremony took place.¹⁰

On August 8, 2002, Edmilao further alleged that Aranton transmitted the application for delayed registration of marriage certificate to the City Prosecutor of Iligan City. Later, on August 15, 2002, Llauder, on behalf of

⁴ Id. at 46. The Resolution dated June 8, 2015 was penned by Associate Justice Edward B. Contreras, and concurred in by Associate Justices Edgardo T. Lloren and Rafael Antonio M. Santos of the Twenty-Third Division, Court of Appeals, Cagayan de Oro.

⁵ Id. at 67-69.

⁶ Id. at 48-58.

⁷ Id. at 49.

⁸ Id. at 50.

⁹ Id. at 34.

¹⁰ Id. at 52-53.

Mylain C. Edmilao, signed the application requesting the City Civil Registrar to indorse the newly registered documents to the Office of the Civil Registrar General of Manila for the issuance of its security papers and authentication. The marriage contract was subsequently registered with the Civil Registry of Iligan City.¹¹

Later, in Civil Case No. 6541, the Iligan City Regional Trial Court, Branch 1, declared the spurious marriage between Edmilao and Chu to be nonexistent and void.¹²

In his Complaint now, Edmilao alleged that Llauder, Dacup, and Aranton acted in bad faith for conspiring with Busico and her husband, Atty. Alfredo—whom Edmilao claimed was related to Llauder—in falsifying the marriage certificate. As the City Civil Registrar, Dacup was impleaded under the principle of command responsibility,¹³ while Llauder and Aranton were impleaded for receiving and processing the registration of the marriage certificate.¹⁴

All three (3) accused denied the charges against them.

In her Counter-Affidavit, Dacup stated that applications for delayed registration of marriages do not require her office's approval and are instead processed in the Marriage Division.¹⁵ For her part, Aranton averred that it is her ministerial function as a registration officer of the Civil Registry of Iligan City to accept the marriage certificate and its supporting documents presented for registration without determining their intrinsic validity.¹⁶

Meanwhile, in her Counter-Affidavit/Answer,¹⁷ Llauder denied having anything to do with the falsification or forgery since she did not participate in any act related to the alleged marriage, save for receiving and placing a registry number on the marriage certificate. As to the discrepancy in the dates, she also claimed that she had nothing to do with it.¹⁸

Llauder added that there was nothing irregular with her signing on behalf of Chu for the issuance of the security paper on delayed registration, as this was common practice at their office.¹⁹

In his Comment, Edmilao claimed that Dacup, Llauder, and Aranton

¹¹ Id. at 52–53 and 67.

¹² Id. at 50.

¹³ Id. at 51.

¹⁴ Id. at 52 and 55.

¹⁵ Id. at 68.

¹⁶ Id. at 69.

¹⁷ Id. at 59–65.

¹⁸ Id. at 60–61.

¹⁹ Id. at 62.

were at fault for receiving and processing a marriage certificate without requiring affidavits showing that: (a) the parties have lived for at least five (5) years; and (b) at least one (1) of them belongs to the religious sect of the solemnizing officer. Their acts, he alleged, violated Administrative Order No. 1, series of 1993, of the Office of the Civil Registrar General. Moreover, Edmilao insisted that Llauder failed to notice the discrepancies between the date of solemnization and notarization of the document.²⁰

On March 19, 2007, the Office of the Deputy Ombudsman issued a Decision²¹ finding Llauder and Aranton guilty of gross neglect of duty and conduct prejudicial to the best interest of the service for their failure to observe compliance with Administrative Order No. 1 of the Office of the Civil Registrar General.

However, the Office of the Deputy Ombudsman stated that Edmilao was not completely blameless as he consented to the “game play” designed by his aunt. Accordingly, it stated that Llauder and Aranton should not be made to suffer the full force of law.²²

Meanwhile, the Office of the Deputy Ombudsman absolved Dacup of liability, finding that “she had nothing to do”²³ with the registration of the marriage certificate.²⁴ The dispositive portion of the Decision read:

WHEREFORE, this Office finds herein respondents Aranton and Llauder guilty of the administrative charges of Gross Neglect of Duty and Conduct Prejudicial To The Best Interest of Public Service, and are hereby meted the penalty of Six (6) months Suspension.

The charge against respondent Dacup is hereby dismissed for lack of evidence.

Moreover, to prevent a similar case in the future the Office of the Civil Registrar General, Manila is hereby ordered to also look into this matter being a part of their regulatory power.

The Honorable Mayor of Iligan City is hereby directed to implement the aforementioned sanction against respondents Norma Aranton and Antonieta Llauder. A report on the implementation of the said sanction against herein respondents should be submitted to this Office within ten (10) days after the implementation thereof.

SO DECIDED.²⁵

Both Llauder and Aranton moved for reconsideration.²⁶

²⁰ Id. at 70–72.

²¹ Id. at 66–77.

²² Id. at 75.

²³ Id. at 74.

²⁴ Id. at 75.

²⁵ Id. at 75–76.

In her Motion for Reconsideration, Llauder reiterated that since the City Prosecutor had recommended the application's approval, she had no choice but to indorse the application for the issuance and authentication of its security papers.²⁷

On July 28, 2008, a Notice of Suspension was issued by Iligan City Mayor Lawrence Cruz, suspending Llauder and Aranton from office from July 29, 2008 until January 31, 2009.²⁸

On August 18, 2008, Edmilao filed an Affidavit of Desistance, asking that his Complaint against Llauder, Aranton, and Dacup be withdrawn. He stated that he was remorseful for filing the case when there was no proof of any malice on their part. In light of this, Llauder filed a Motion to Dismiss the administrative case on August 20, 2008.²⁹

Nevertheless, Llauder's Motion to dismiss the case, along with her and Aranton's Motions for Reconsideration, was denied by the Office of the Deputy Ombudsman in its October 16, 2008 Order.³⁰

Only Llauder filed a Petition for Review³¹ before the Court of Appeals. She reiterated that she did not go beyond her duties and functions. When the marriage certificate was presented by an unidentified woman for delayed registration, she indorsed it to Aranton. Aranton then indorsed it to the City Prosecutor, who then returned it with a favorable review.³²

Llauder emphasized that she only entered the marriage certificate in the books and assigned it its registry number after the City Prosecutor's favorable review and evaluation. She further contended that her duty as an assistant registration officer is ministerial and that she had no authority to overturn a prosecutor's favorable recommendation.³³

Besides, Llauder claimed, Edmilao's Affidavit of Desistance should have had the effect of withdrawing, superseding, and reversing the factual averments in the Complaint, and should have caused the dismissal of the administrative case against her.³⁴

²⁶ Id. at 37-38.

²⁷ Id. at 37-38.

²⁸ Id. at 38.

²⁹ Id.

³⁰ Id. at 78-88.

³¹ Id. at 98-116.

³² Id. at 101 and 106.

³³ Id.

³⁴ Id. at 104.

On December 8, 2014, the Court of Appeals issued a Decision³⁵ affirming with modification the Office of the Deputy Ombudsman's Decision.

The Court of Appeals first rejected Llauder's claim that Edmilao's Affidavit of Desistance should have warranted the case's dismissal, noting that administrative complaints are imbued with public interest and "should not be made to depend on the whims and caprices of the complainants."³⁶

The Court of Appeals then pointed out that while a spurious marriage certificate was registered, Llauder was only liable for simple neglect of duty, since the Office of the Deputy Ombudsman failed to show that her breach of duty was flagrant and palpable. It also held that Llauder was not liable for conduct prejudicial to the best interest of the service, finding that her acts did not cause undue prejudice to the government or the Civil Registry of Iligan City.³⁷

The dispositive portion of the Court of Appeals Decision read:

WHEREFORE, premises considered, the assailed decision and order of the Ombudsman are hereby AFFIRMED with MODIFICATION in that Llauder is found guilty of simple neglect of duty only and meted the penalty of suspension for three months without pay since this is her first offense in her thirty-six years of service in the Government.

SO ORDERED.³⁸

The Office of the Deputy Ombudsman moved for partial reconsideration, but the Motion was denied for lack of merit in the Court of Appeals' June 8, 2015 Resolution.³⁹

On August 20, 2015, the Office of the Deputy Ombudsman filed this Petition for Review on Certiorari⁴⁰ against Llauder.

On November 23, 2015, this Court required respondent to comment on the Petition.⁴¹ However, no comment was filed.

On June 22, 2016, this Court required Atty. Cancio Nicanor M. Guibone (Atty. Guibone), respondent's counsel, to comply with the November 23, 2015 Resolution and to show cause why he should not be

³⁵ Id. at 33-44.

³⁶ Id. at 39.

³⁷ Id. at 42-43.

³⁸ Id. at 44.

³⁹ Id. at 46-47.

⁴⁰ Id. at 14-31.

⁴¹ Id. at 90.

disciplinarily dealt with or held in contempt for his failure to comply in the first place.⁴²

On September 30, 2016, Atty. Guibone filed a Compliance,⁴³ stating that he repeatedly attempted to contact respondent through text messages and calls, but failed. He stated that upon receiving the show cause order, he again attempted to contact her, to no avail. Atty. Guibone instead attached to his Compliance the pleadings previously filed by respondent, so as to apprise this Court of her previous defenses.⁴⁴

In a November 21, 2016 Resolution,⁴⁵ this Court found Atty. Guibone's Compliance unsatisfactory, requiring him to exert more effort in contacting respondent and to submit her conformity within 10 days from notice.

On June 29, 2017, Atty. Guibone filed a second Compliance⁴⁶ stating that he once again exerted earnest efforts to communicate with respondent through text messages and calls, but to no avail. As a last resort, his staff went to respondent's last known office address at the Civil Registry of Iligan City, from which he found out that respondent had already retired from government service in the middle of 2016.⁴⁷

On October 2, 2017, this Court noted and accepted the second Compliance filed by Atty. Guibone and dispensed with the filing of respondent's comment on this petition.⁴⁸

In its Petition, petitioner argues that the Court of Appeals erred in downgrading the offenses against respondent. It pointed out that she violated Administrative Order No. 1 of the Office of the Civil Registrar General when she received and accepted the application for delayed marriage registration and assigned it a registry number despite the lack of supporting documents. It maintains that respondent's disregard of the Administrative Order, coupled with her failure to notice the discrepancies on the marriage certificate submitted by Chu, cannot be regarded as simple neglect of duty.⁴⁹

The sole issue for this Court's resolution is whether or not the Court of Appeals erred in lowering the offense committed by respondent Antonieta A. Llauder from gross neglect of duty and conduct prejudicial to the best

⁴² Id. at 92.

⁴³ Id. at 93–97.

⁴⁴ Id. at 93–94.

⁴⁵ Id. at 137–138.

⁴⁶ Id. at 139–144.

⁴⁷ Id. at 140.

⁴⁸ Id. at 153–154.

⁴⁹ Id. at 21.

interest of the service to simple neglect of duty, and downgrading her penalty of suspension from six (6) months to three (3) months.

The Petition is meritorious.

Although respondent is no longer in the public service, having retired in 2016, the propriety of the Court of Appeals Decision, which lowered the offense she committed and the penalty meted, must be discussed. It must be determined if respondent is entitled to a reimbursement of salaries and emoluments not paid to her during her six-month suspension, as provided under Rule III, Section 7 of the Rules of Procedure of the Office of the Ombudsman, as amended.⁵⁰ Section 7 provides:

Section 7. *Finality and execution of decision.* — Where the respondent is absolved of the charge, and in case of conviction where the penalty imposed is public censure or reprimand, suspension of not more than one month, or a fine equivalent to one month salary, the decision shall be final, executory and unappealable. In all other cases, the decision may be appealed to the Court of Appeals on a verified petition for review under the requirements and conditions set forth in Rule 43 of the Rules of Court, within fifteen (15) days from receipt of the written Notice of the Decision or Order denying the motion for reconsideration.

An appeal shall not stop the decision from being executory. *In case the penalty is suspension or removal and the respondent wins such appeal, he shall be considered as having been under preventive suspension and shall be paid the salary and such other emoluments that he did not receive by reason of the suspension or removal.*

A decision of the Office of the Ombudsman in administrative cases shall be executed as a matter of course. The Office of the Ombudsman shall ensure that the decision shall be strictly enforced and properly implemented. The refusal or failure by any officer without just cause to comply with an order of the Office of the Ombudsman to remove, suspend, demote, fine, or censure shall be a ground for disciplinary action against said officer. (Emphasis supplied)

In its assailed Decision, the Court of Appeals lowered the offenses and penalty meted out to respondent. Justifying its modification of the Office of the Deputy Ombudsman's Decision, it stated:

In this case, the acts complained of cannot be legally considered as gross neglect of duty. While it is true that Llauder proceeded with the registration of the spurious marriage without observing the applicable rules, however, We hold that the Ombudsman failed to show sufficient basis for concluding that such acts displayed by Llauder and the breach of duty she committed were not of such nature and degree so as to be considered flagrant and palpable. Neither can Llauder be held liable for the offense of conduct prejudicial to the best interest of service for the

⁵⁰ Amended by Administrative Order No. 17 (2003).

same acts did not cause undue prejudice to the government or expose the system of the Local Civil Registry of Iligan City to immediate risk.

Although We do not find Llauder guilty of gross neglect of duty, she is, however, held liable for simple neglect of duty. Simple neglect of duty is defined as the failure to give proper attention to a task expected from an employee resulting from either carelessness or indifference. Here, Llauder failed to give proper attention to the task she was expected to do when she failed to comply with the applicable rules. Be it as it may, she cannot excuse her lapses for non-compliance by the fact that she relied on the prosecutor's prior recommendation to give due course to the application for late registration. Apart from the recommendation, Llauder could have further checked the documents on hand before proceeding with registration, thereby avoiding the present predicament, but she failed to do so.⁵¹

This Court disagrees with the Court of Appeals that respondent was only liable for simple neglect of duty. The records and the duly constituted rules of the Office of the Civil Registrar show that petitioner was correct in finding respondent guilty of gross neglect of duty and conduct prejudicial to the best interest of the service.

Administrative Order No. 1 of the Office of the Civil Registrar General states that the civil registrar is the person or body charged by law for the recording of vital events and other documents affecting a person's civil status.⁵² The Administrative Order takes pains in laying out the proper procedures for the registration of one's life events, including his or her birth, marriage, and death. The pertinent sections on delayed registration of marriages provide:

Rule 13. *Posting of the Pending Application.* - (1) A notice to the public on the pending application for delayed registration shall be posted in the bulletin board of the city/municipality for a period of not less than ten (10) days.

(2) If after ten (10) days, no one opposes the registration, the civil registrar shall evaluate the veracity of the statements made in the required documents submitted.

(3) If after proper evaluation of all documents presented and investigation of the allegations contained therein, the civil registrar is convinced that the event really occurred within the jurisdiction of the civil registry office, and finding out that said event was not registered, he shall register the delayed report thereof.

(4) The Civil Registrar, in all cases of delayed registration of birth, death and marriage, shall conduct an investigation whenever an opposition is filed against its registration by taking the testimonies of the parties concerned and witnesses in the form of questions and answers. After investigation, the civil registrar shall forward his findings and

⁵¹ *Rollo*, p. 43.

⁵² Administrative Order No. 1 (1993), Preliminary Statement.

recommendations to the Office of the Civil Registrar-General for appropriate action.

(5) The Civil Registrar-General may, after review and proper evaluation, deny or authorize the registration.

....

Rule 15. *Duty to File a Complaint with the Prosecutor's Office.* - In every case of delayed registration, the civil registrar shall file a complaint with the city provincial prosecutor's office for appropriate action under section 17 of Act No. 3753. The action filed in court by the prosecutor against the party for failure to register shall not suspend or stop the registration, neither should it be a ground for refusal by the civil registrar to register the delayed report of birth, death or marriage or any registrable document.

....

Rule 46. *Delayed Registration of Marriage.* - (1) In delayed registration of marriage, the solemnizing officer or the person reporting or presenting the marriage certificate for registration shall be required to execute and file an affidavit in support thereof, stating the exact place and date of marriage, the facts and circumstances surrounding the marriage and the reason or cause of the delay.

(2) The submission of the application for marriage license bearing the date when the marriage license was issued except for marriage exempt from marriage licenses shall be required.

(3) Where the original or duplicate copy of the certificate of Marriage could not be presented either because it was burned, lost or destroyed, a certification issued in lieu thereof, by the church or solemnizing officer indicating date of said marriage based on their record or log book shall be sufficient proof of marriage and the civil registrar may accept the same for registration.

(4) In case of doubt, the civil registrar may verify the authenticity of the marriage certification by checking from the church record/log book and the solemnizing officer who performed the marriage and the church official who issued the certification.

As seen in these provisions, an application for the delayed registration of a marriage certificate is required to be posted on the city bulletin board for 10 days to afford the public an opportunity to oppose it. Only after the 10-day posting period can the civil registrar evaluate the application, along with its supporting documents, and ascertain if there are any anomalies in the solemnization of the marriage or invalidities between the parties.

After investigation, the findings shall be forwarded to the Registrar General who may, after review and proper evaluation, deny or authorize the registration. Aside from this, the person reporting the marriage must also submit an affidavit containing the date and place of the marriage, the fact

surrounding the ceremony, and the reason behind its late registration. The marriage license should likewise be attached, or in its absence, an affidavit proving that the couple is exempt from acquiring one.

Yet, despite these clear instructions, both Aranton and respondent failed to review the application for registration of the marriage certificate submitted by Chu and merely relied on the Prosecutor's recommendation. To begin with, they were wrong to immediately forward the application to the Office of the City Prosecutor; they should have suspected that it was bogus from the start, given the doubtful notarization and the absolute absence of any other proof that the ceremony had happened. Moreover, there was no indication that they ensured that the posting requirements of a pending application had been met.

Respondent cannot hide behind the pretext that Aranton was the one in charge of applications for delayed registration. It does not excuse her own negligence in assigning a registration number to Edmilao and Chu's marriage certificate without asking for the submission of the required documents. As an assistant registration officer at the Civil Registry's Marriage Division, she had the duty to evaluate and check the application and its supporting documents before assigning it a registration number. There had been numerous opportunities for her to require the submission of the required documents, but she failed to do so.

Worse, respondent even signed the application for marriage registration on Chu's behalf to expedite the release of the certificate and security papers, despite the glaring lack of supporting documents. This was an active disregard of the duly instituted rules of her office.

In her defense, respondent argues that the registration of the marriage certificate is a ministerial duty, claiming that she had no choice but to do it given the City Prosecutor's approval.

It seems that respondent has an erroneous interpretation of what a ministerial duty entails. This Court distinguished discretionary functions from ministerial duties in *Sanson v. Barrios*:⁵³

Discretion, when applied to public functionaries, means a power or right conferred upon them by law of acting officially, under certain circumstances, according to the dictates of their own judgments and consciences, uncontrolled by the judgments or consciences of others. A purely ministerial act or duty, in contradistinction to a discretionary act, is one which an officer or tribunal performs in a given state of facts, in a prescribed manner, in obedience to the mandate of legal authority, without regard to or the exercise of his own judgment, upon the propriety or

⁵³ 63 Phil. 198 (1936) [Per J. Recto, En Banc].

impropriety of the act done. If the law imposes a duty upon a public officer, and gives him the right to decide how or when the duty shall be performed, such duty is discretionary and not ministerial. The duty is ministerial only when the discharge of the same requires neither the exercise of official discretion nor judgment.⁵⁴ (Citation omitted)

Thus, although respondent's function as an assistant registration officer is indeed ministerial, this does not mean that she must blindly approve all applications submitted to her office. It is ministerial in that when a properly accomplished application is presented before her accompanied by all the necessary documents, she has no choice but to approve and process the registration. Conversely, if the application filed is invalid or missing the required attachments, such as an affidavit of the contracting parties or a marriage license, her duty is to deny the registration.

Even if respondent was not tasked with determining if fraud was committed in the application for marriage certificate, it was her duty to demand that the supporting documents be present upon submission as a precaution to the registration of a spurious document.

In her Counter-Affidavit/Answer, respondent herself admitted that a piecemeal submission of the required documents was allowed in Circular No. 98-1 dated September 8, 1998.⁵⁵ Accordingly, she should have requested the submission of documents for the registration of the marriage certificate. Otherwise, she should have verified the marriage with the solemnizing officer or the church where the ceremony was purportedly held, as provided in Rule 46(4) of Administrative Order No. 1:

(4) In case of doubt, the civil registrar may verify the authenticity of the marriage certification by checking from the church record/log book and the solemnizing officer who performed the marriage and the church official who issued the certification.

Yet, respondent made no attempt to comply with the prescribed procedure or requirements.

As an assistant registration officer, respondent does not merely release identification cards or certifications. It is her duty to evaluate the records and marriage registrations that would have the effect of changing one's civil status, carrying with it a multitude of repercussions. Knowing these, she should have exercised more diligence in the performance of her duties.

⁵⁴ Id. at 203.

⁵⁵ *Rollo*, p. 63.

In *Civil Service Commission v. Catacutan*,⁵⁶ gross neglect of duty was differentiated from simple neglect of duty in this wise:

On one hand, gross neglect of duty is understood as the failure to give proper attention to a required task or to discharge a duty, characterized by want of even the slightest care, or by conscious indifference to the consequences insofar as other persons may be affected, or by flagrant and palpable breach of duty. It is the omission of that care which even inattentive and thoughtless men never fail to give to their own property. In cases involving public officials, there is gross negligence when a breach of duty is flagrant and palpable. Under the law, this offense warrants the supreme penalty of dismissal from service. Simple neglect of duty, on the other hand, is characterized by failure of an employee or official to give proper attention to a task expected of him or her, signifying a disregard of a duty resulting from carelessness or indifference. This warrants the penalty of mere suspension from office without pay.⁵⁷ (Citations omitted)

Here, it is evident that respondent was grossly negligent in discharging her functions and unmindful of the consequences of her actions. Although there is no proof that she acted with willful intent to register a spurious marriage, she consciously chose to violate the procedure in Administrative Order No. 1, which was meant to standardize the civil registration system and ensure its accuracy, completeness, and efficiency. Though her failure may not have involved a deliberate act to inflict harm on others, this is not necessary to constitute gross negligence. Her failure to act like a reasonably prudent and careful person would have is enough.

Accordingly, respondent actions in connection with the registration of Edmilao and Chu's spurious marriage constitute gross neglect of duty. A different view would not only undermine the Civil Registry, but erode the stability of our national records and our reliance on it.

As for the charge of conduct prejudicial to the best interest of the service, the Court of Appeals absolved respondent of liability, finding that her actions did not cause undue prejudice to the government or the Civil Registry of Iligan City.

This Court disagrees.

In *Pia v. Gervacio, Jr.*,⁵⁸ it was explained that "acts may constitute Conduct Prejudicial to the Best Interest of the Service as long as they tarnish the image and integrity of his/her public office."⁵⁹

⁵⁶ G.R. Nos. 224651 and 224656, July 3, 2019, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65521>> [Per J. Reyes, Jr., Second Division].

⁵⁷ Id.

⁵⁸ 710 Phil. 196 (2013) [Per J. Reyes, J., First Division].


⁵⁹ Id. at 206.

Contrary to the Court of Appeals ruling, respondent's actions were detrimental to the reputation of the Office of the Civil Registrar and the civil service in general. It must be emphasized that Edmilao was forced to initiate annulment proceedings before the Regional Trial Court and see it to fruition only to correct respondent's and Aranton's mistakes. Edmilao may have had a hand in it by signing a piece of paper as "game play," but the spurious marriage certificate would never have existed if not for Aranton and respondent's gross negligence and indifference in processing the application. This sort of behavior is not what is expected of our government employees and is definitely not worthy of the trust reposed onto them by the people.

It is imperative for any employee, most especially those of the government, to exercise their duties with the utmost care and responsibility. This is especially true for registration officers of the Civil Registry. A single mistake may entail a change in one's civil status and lead to unnecessary litigation, which is precisely what happened in this case. Hence, petitioner was correct in finding respondent guilty of gross neglect of duty and conduct prejudicial to the best interest of the service and meting her with a penalty of six (6) months' suspension.

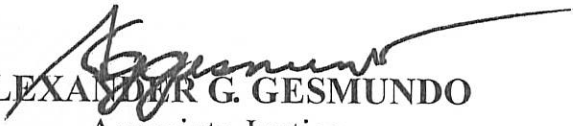
WHEREFORE, the Petition is **GRANTED**. This Court modifies the December 8, 2014 Decision and June 8, 2015 Resolution of the Court of Appeals in CA-G.R. SP No. 03269-MIN and holds respondent Antonieta A. Llauder **GUILTY** of gross neglect of duty and conduct prejudicial to the interest of service.

SO ORDERED.



MARVIC M.V.F. LEONEN
Associate Justice


WE CONCUR:



ALEXANDER G. GESMUNDO
Associate Justice



ROSMARI D. CARANDANG
Associate Justice



RODIL V. ZALAMEDA
Associate Justice


SAMUEL H. GAERLAN
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


MARVIC M.V.F. LEONEN
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


DIOSDADO M. PERALTA
Chief Justice