

SECOND DIVISION

[A.M. No. P-09-2625, October 09, 2009]

**ELISA C. RUSTE, COMPLAINANT, VS. CRISTINA Q. SELMA,
RESPONDENT.**

D E C I S I O N

CARPIO MORALES, J.:

The trial of Criminal Case No. 19388, "*People of the Philippines v. Beethoven Rodriguez*," for forcible abduction filed on complaint of Elisa C. Ruste, herein complainant, having been terminated on March 16, 2007, and the trial court, Branch 14 of the Regional Trial Court (RTC) of Zamboanga

City, having directed the parties to submit their respective memoranda, complainant's lawyer paid on September 5, 2007 herein respondent Cristina Q. Selma, Stenographer III at the trial court, P2,000 representing payment of her services in transcribing her stenographic notes taken during the hearings of the case on September 6, 11 and December 5, 2006.

Respondent failed to transcribe those stenographic notes, however, despite several "follow ups," hence, complainant filed a sworn complaint dated January 28, 2008 charging respondent with dereliction of duty.

Admitting having failed to transcribe the stenographic notes, respondent claimed that she had to prioritize the transcription of stenographic notes taken in other cases as required in open court, the same being needed in the next scheduled hearings thereof; and having become aware that complainant filed the present complaint against her, she returned the P2,000 to complainant's secretary who acknowledged receipt thereof.

The Office of the Court Administrator (OCA) found respondent guilty of simple neglect of duty;^[1] which is penalized with suspension for one month and one day to six months on the first offense.^[2] However, the OCA, noting respondent's more than 22 years of service in the judiciary, recommended a lighter penalty consisting of a P2,000 fine.^[3]

Administrative Circular No. 24-90 requires stenographers

to transcribe all stenographic notes and to attach the transcripts 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 envelope, which will then be joined to the record of the case. (Underscoring supplied)