

## THIRD DIVISION

**[ A.M. No. P-95-1161, February 10, 1997 ]**

**ATTY. JESUS N. BANDONG, CLERK OF COURT VI, REGIONAL  
TRIAL COURT, BRANCH 49, CATAINGAN, MASBATE,  
COMPLAINANT, VS. BELLO R. CHING, COURT INTERPRETER,  
RESPONDENT.**

### DECISION

**DAVIDE JR., J.:**

In our decision in this case of 23 August 1996, we observed:

This Court, however, cannot end this case with the above pronouncement. If the neglect of duty by the respondent went on unnoticed for more than ten years, then her immediate superior, the clerk of court, must have to explain why he failed to call respondent's attention to her nonfeasance in office. Clerks of courts are the administrative officers of courts and have, *inter alia*, control and supervision over all court records (Manual for Clerks of Court, 26, 32). They should then see to it that subordinates perform their functions well. Hence, the complainant in this case, Atty. Jesus N. Bandong, Clerk of Court VI, must be made to show cause why no disciplinary action should be taken against him for neglect of duty.

Accordingly, in the dispositive portion of the decision we required complainant Atty. Jesus N. Bandong "TO SHOW CAUSE ... why he should not be disciplinarily dealt with for neglect of duty for his failure to supervise the performance of duty of respondent."

In his two-page Compliance received by this Court on 27 September 1996, Atty. Jesus N. Bandong offered this two-paragraph explanation, which we quote *verbatim*:

Since his appointment as Deputy Clerk of Court, (CFI) Masbate, Masbate in 1976, then promoted as Acting Clerk of Court, RTC. Br. 49, Cataingan, Masbate under the Judiciary Reorganization Act in 1983, and presently Clerk of Court VI, RTC. Br. 49, Cataingan, Masbate, he had been exercising his duties, responsibilities and general supervision over his personnel with due diligence, efficiently and effectively. He reminded his personnel always of their duties and responsibilities as provided for in the Manual for Clerk of Court and even to the extent of furnishing xerox copy of which is hereto attached, to be posted on their respective office table as guidelines in their daily and faithful performance of their duties and responsibilities. Apart from these, the Office of the Administrative Services furnished every Employees, upon assumption to duty, copies of the above-mentioned form (Position Description Form) to be filled up and signed by the employee concerned together with their immediate