

## EN BANC

[ A.M. No. SCC-10-13-P, June 26, 2012 ]

**LOURDES CLAVITE-VIDAL, DIRECTOR IV, REGION 10, CIVIL SERVICE COMMISSION, COMPLAINANT, VS. NORAIDA A. AGUAM, COURT STENOGRAPHER I, SHARI'A CIRCUIT COURT, GANASSI-BINIDAYAN-BAGAYAWAN, LANA O DEL SUR, RESPONDENT.**

### R E S O L U T I O N

#### PER CURIAM:

We resolve another case of impersonation in taking a Civil Service examination. The Office of the Court Administrator (OCA) agreed with the Investigating Judge that respondent court stenographer Noraida A. Aguam is guilty of dishonesty and should be dismissed from the service.

First, the antecedent facts and the result of the investigation.

In a letter<sup>[1]</sup> dated August 13, 2009, Director IV Lourdes Clavite-Vidal of the Civil Service Commission (CSC) referred to the OCA for appropriate action the records of respondent Aguam. Director Vidal stated that a person purporting to be Aguam took the Career Service Subprofessional<sup>[2]</sup> examination held on December 1, 1996 at Room No. 5, City Central School, Cagayan de Oro City, and got a grade of 80% in the examination. But upon verification of Aguam's eligibility, the CSC found that Aguam's picture and handwriting on her January 14, 1997 Personal Data Sheet differ from those on the Picture Seat Plan during the examination.

Our esteemed colleague, Mr. Justice Jose P. Perez, in his capacity as then Court Administrator, required Aguam to file her comment to Director Vidal's letter.<sup>[3]</sup>

In her comment<sup>[4]</sup> dated January 19, 2010, Aguam said that she personally took and passed the aforesaid examination. Aguam claimed that her picture on the Picture Seat Plan is an old picture taken when she was still in high school and single, while her picture on the Personal Data Sheet was taken after giving birth to four children and suffering another miscarriage. Aguam also claimed that the signatures on the two documents are hers and were not made by two different persons. Her signature on the Picture Seat Plan was signed under pressure during the examination. On the other hand, she signed the Personal Data Sheet without pressure and having the leisure of time.

The case was then referred to Judge Rasad G. Balindong for investigation. After due proceedings, Judge Balindong submitted his investigation report finding Aguam guilty of serious dishonesty and recommending Aguam's dismissal from the service. Judge Balindong said that during the May 24, 2011 hearing, he approached Aguam to observe her physically and compare her face with the pictures on the Picture Seat Plan and Personal Data Sheet. Judge Balindong found that the picture on the

Personal Data Sheet is that of Aguam while the one on the Picture Seat Plan is not hers.<sup>[5]</sup> Judge Balindong also found that Aguam's specimen signatures submitted before him were different from Aguam's purported signature on the Picture Seat Plan. Judge Balindong concluded that the signature on the Picture Seat Plan and the one on the Personal Data Sheet were written by two different persons.<sup>[6]</sup> Judge Balindong opined that Aguam's representation that she herself took the examination when in fact somebody else took it for her constitutes dishonesty.<sup>[7]</sup>

In its own evaluation report<sup>[8]</sup> dated November 29, 2011, the OCA concurred with the findings of Judge Balindong and recommended that:

**IN VIEW OF THE FOREGOING**, we respectfully submit for the consideration of the Honorable Court the recommendation that Noraida A. Aguam, Court Stenographer I, Shari'a Circuit Court Ganassi-Binidayan-[B]agayawan, Lanao del Sur, be found **GUILTY** of the administrative offense of **DISHONESTY** and be **DISMISSED** from the service, with the accessory penalties of perpetual disqualification from government service and forfeiture of all retirement benefits except leave credits already accrued.<sup>[9]</sup>

We agree that Aguam is indeed guilty of dishonesty.

The fact of impersonation was proven with certainty. Judge Balindong observed upon approaching Aguam during a hearing that she is not the person whose picture was attached to the Picture Seat Plan. This finding debunks Aguam's claim that she attached her high school picture on the Picture Seat Plan. The records also validate Judge Balindong's finding that Aguam's specimen signatures written on a piece of paper<sup>[10]</sup> are starkly different from Aguam's supposed signature on the Picture Seat Plan.<sup>[11]</sup> Then there is the discernible difference in Aguam's handwriting and signature on the Personal Data Sheet<sup>[12]</sup> and the impersonator's handwriting and signature on the Picture Seat Plan. Taken together, the evidence leads to no other conclusion than that somebody else took the examination using Aguam's identity.

We also affirm Judge Balindong's opinion that for Aguam to assert that she herself took and passed the examination when in fact somebody else took it for her constitutes dishonesty.<sup>[13]</sup>

It must be stressed that every employee of the Judiciary should be an example of integrity, uprightness and honesty. Like any public servant, she must exhibit the highest sense of honesty and integrity not only in the performance of her official duties but also in her personal and private dealings with other people, to preserve the court's good name and standing. The image of a court of justice is mirrored in the conduct, official and otherwise, of the personnel who work thereat, from the judge to the lowest of its personnel. Court personnel have been enjoined to adhere to the exacting standards of morality and decency in their professional and private conduct in order to preserve the good name and integrity of the courts of justice.<sup>[14]</sup> Here, Aguam failed to meet these stringent standards set for a judicial employee and does not therefore deserve to remain with the Judiciary.