

SECOND DIVISION

[A.M. No. P-08-2549, June 18, 2010]

**ANONYMOUS, COMPLAINANT, VS. EMMA BALDONADO CURAMEN,
COURT INTERPRETER I, MUNICIPAL TRIAL COURT, RIZAL,
NUEVA ECIJA, RESPONDENT.**

RESOLUTION

CARPIO, J.:

The Case

This is an administrative case against Emma Baldonado Curamen, Court Interpreter I in the Municipal Trial Court of Rizal in Nueva Ecija, for dishonesty and falsification of a public document.

The Facts

On 6 March 2007, the Office of the Court Administrator (OCA) received an anonymous complaint^[1] charging respondent with falsification of a public document and simulation of birth. The complaint alleged that respondent registered the birth of a child supposedly named Rica Mae Baldonado Curamen in the local civil registry of Rizal, Nueva Ecija. Complainant submitted the child's purported birth certificate^[2] to show respondent misrepresented that she was the child's biological mother and her husband, Ricardo Curamen, was the biological father. Complainant claimed respondent was, in fact, the child's maternal grandmother. Complainant submitted the child's original birth certificate^[3] to show that the child's real name was Rinea Mae Curamen Aquino and that her parents were spouses Olga Mae Baldonado Curamen Aquino and Jun Aquino. According to complainant, respondent included the child as additional dependent in her income tax declaration.

In his Report,^[4] Executive Judge Rodrigo S. Caspillo of the Regional Trial Court (Branch 24) of Cabanatuan City verified that Rinea Mae Curamen Aquino and Rica Mae Baldonado Curamen were the same child. Judge Caspillo confirmed that the child was, in fact, respondent's granddaughter. The child's real mother, Olga, was one of respondent's children. On 27 November 2005, Olga gave birth to a child named Rinea Mae Curamen Aquino. The fact of birth was registered in the Civil Registry of Cabanatuan City, Nueva Ecija under Registry No. 2005-15495. The birth certificate indicated that the child's parents were Olga Mae Baldonado Curamen and Jun Aquino.

Judge Caspillo verified that on 31 March 2006, respondent executed an affidavit for delayed registration of the alleged birth of her child. Respondent claimed that her supposed child, Rica Mae Baldonado Curamen, was born on 30 November 2005. Respondent's application was given due course and the supposed birth of Rica Mae Baldonado Curamen was registered in the Civil Registry of Rizal, Nueva Ecija under

Registry No. 2006-507. This second birth certificate of the child indicated that the child's parents were respondent and her husband.

In her Comment,^[5] respondent admitted that the real parents of the child were spouses Olga Mae Baldonado Curamen and Jun Aquino. Respondent claimed that the child's parents, being unemployed, were unable to support themselves let alone their child. She asserted that the child's parents actually depended on her and her husband for support. According to respondent, it was the child's parents themselves who proposed to register the birth of the child anew. Respondent insisted she had no intention to conceal the true identity of the child. Respondent justified her act as an example of a common practice among Filipinos to extend help to family members. As to the alleged falsification of her income tax return, respondent denied listing the child as additional dependent.

The OCA's Report and Recommendation

As to the alleged falsification of the child's birth certificate, the OCA, in its Report and Recommendation,^[6] found respondent guilty of conduct prejudicial to the best interest of the service. According to the OCA, respondent's act created a negative impression in the minds of the public that court officials could violate the law with impunity. As for the alleged falsification of respondent's income tax return, the OCA found no evidence that respondent claimed the child as additional dependent. The OCA recommended that respondent be suspended from the service for six months and one day, thus:

Respectfully submitted for the consideration of this Honorable Court are our recommendations that:

1. this administrative complaint be RE-DOCKETED as a regular administrative matter;
2. respondent Emma Baldonado Curamen, Court Interpreter I, Municipal Trial Court, Rizal, Nueva Ecija, be found GUILTY of Conduct Prejudicial to the Best Interest of the Service and be SUSPENDED FROM THE SERVICE for a period of six (6) months and one (1) day, the same to take effect immediately upon receipt by the respondent of the Court's decision;
3. Ms. Carmelita N. Ericta, Administrator and Civil Registrar General, National Census Statistics Office, be FURNISHED a copy of the Court's decision, the Certificate of Live Birth of Rica Mae Baldonado Curamen, and the Affidavit for Delayed Registration of Birth executed by the respondent so that appropriate amendments relative to the true circumstances of the birth of one "Rinea Mae Curamen Aquino" can be effected; and
4. the Provincial Prosecutor of Nueva Ecija be FURNISHED with a copy of the Court's decision on this administrative matter for appropriate action.

^[7]