

Title: In Re: Atty. Lorenzo G. Gadon's Viral Video Against Raissa Robles

Facts:

A video clip showing Atty. Lorenzo G. Gadon, a Philippines-licensed lawyer, angrily cursing and verbally assaulting journalist Raissa Robles went viral on various social media platforms. Reacting to public sentiment, the Philippine Supreme Court took cognizance of the incident through a Resolution dated January 4, 2022.

The Court ordered Atty. Gadon to comment on why he should not be disbarred for his conduct. Gadon had a history of similar incidents of misconduct, including his readiness to attack Muslim communities, flipping the middle finger and cursing supporters of former Chief Justice Maria Lourdes Sereno, and uttering derogatory remarks against other public figures.

In his defense, Gadon claimed that his preventive suspension was premature and without legal basis, arguing due process was not observed. He compared his actions to other public figures, insinuated that he was being singled out because of political affiliations and criticized members of the judiciary, requesting the inhibition of Justices Leonen and Caguioa from his case.

Gadon admitted to creating the video but claimed it was intended to be a private communication directly sent to Robles in response to her tweets concerning Ferdinand "Bongbong" Marcos Jr.'s tax evasion allegations. He claimed his expletives were expressions of anger and not meant to be gender-based harassment.

Issues:

1. Whether Atty. Gadon's conduct, as evidenced by the viral video, warrants disbarment.
2. The appropriateness of the immediate preventive suspension of Atty. Gadon.
3. Whether the application of gender-based online sexual harassment laws under R.A. No. 11313 applies to Atty. Gadon's case.
4. Whether Senior Associate Justice Leonen and Justice Caguioa should inhibit from Atty. Gadon's case.

Court's Decision:

1. The Supreme Court ruled that Atty. Gadon's repeated misconduct and failure to comport himself in a manner befitting of the legal profession necessitated his disbarment. His injurious language, engulfed in sexism and misplaced advocacy, brought disrepute to the legal profession.

2. The immediate preventive suspension was upheld as appropriate considering the nature of the viral video, the public image of the legal profession, and the undisputed authorship and authenticity of the video.
3. The Court sidestepped the substantive determination of whether there was gender-based online sexual harassment under R.A. No. 11313, as criminal proceedings were already initiated elsewhere.
4. The Court rejected Atty. Gadon's request for justices to inhibit from his case,- finding no evidence for bias or prejudice against him and affirming the collective nature and regularity of the Court's processes.

Doctrine:

The main doctrines established or reiterated are the following:

- The practice of law is a privilege conditional on adherence to standards of moral character.
- Legal professionals are expected to exercise restraint and maintain the dignity of the profession, including when acting in their private capacities.
- Courts retain the power to immediately and preventively suspend an attorney where misconduct is manifest.
- Gender-based harassment laws relate to the conduct of the perpetrator, rather than the reception by the victim.

Class Notes:

1. Law Practice as a Privilege (In Re Almacén, A.C. No. 395, February 26, 1970)
2. Upholding Court Dignity and Respect (B.M. No. 553, June 17, 2004)
3. Standard for Preventive Suspension (Saldares v. Saldares, A.C. No. 10612, January 31, 2023)
4. Gender-Based Harassment (Republic Act No. 11313, "Safe Spaces Act")

Historical Background:

The case against Atty. Gadon is set against the backdrop of emerging challenges within the realm of social media ethics and gender sensitivity in the legal profession. The actions of Gadon, publicly condemned, reflect the evolving societal intolerance toward misogyny, sexism, and uncouth behavior, as well as the legal community's heightened expectations for decorum - both online and offline. The decision comes at a time when the Philippines, reflecting global progress, is critically reassessing the professional and moral conduct expected of its legal practitioners.