

Title: In the Matter of the Admission to the Bar and Oath-Taking of Successful Bar Applicant Al C. Argosino

Facts:

Al C. Argosino, a petitioner, was among fourteen individuals charged with the crime of homicide on February 4, 1992, in connection with a fraternity hazing incident that resulted in the death of Raul Camaligan on September 8, 1991. Argosino and co-accused entered plea bargaining, pleaded guilty to homicide through reckless imprudence, and were sentenced to imprisonment from 2 years, 4 months, and 1 day to 4 years. The petitioner and his colleagues applied for probation, which was granted by Judge Pedro T. Santiago of the Regional Trial Court, Quezon City, setting probation at two years.

Argosino took the 1993 Bar Examinations after being allowed through a Supreme Court En Banc Resolution. Upon passing the bar, Mr. Argosino filed a petition to take the attorney's oath of office on April 15, 1994, citing that his probation granted in June 1993 was terminated by Judge Santiago's order.

The petitioner then filed three Motions for Early Resolution of his Petition for Admission to the Bar. His petition raised crucial questions about the character requirements for admission to the practice of law.

Issues:

The main legal issue was whether Argosino, having been convicted of a criminal offense involving moral turpitude, proven by his involvement in the hazing incident and subsequent plea to reckless imprudence resulting in homicide, meets the standards of good moral character required for admission to the Philippine Bar.

Court's Decision:

The Supreme Court denied the petition, emphasizing that the practice of law is a privilege that demands individuals of good moral character. The Court delved into the significance of moral character in the practice of law citing multiple American jurisprudence. In light of the "hazing" activities, Mr. Argosino's actions showed severe moral shortcomings. The Supreme Court instructed Argosino to provide evidence demonstrating that a change in his moral character had occurred since the conviction, showing he was now fit for admission to the bar.

Doctrine:

The doctrine established reiterated the principle that the practice of law is a privilege that is

predicated on the requirement of good moral character. Good moral character is a continuous requirement - necessary at the time of the application to take the bar examination and at the time when one seeks admission to the bar and the oath of office.

Class Notes:

- Practice of law is a privilege, not a right.
- Good moral character is a prerequisite for admission to the bar.
- Good moral character must be demonstrated both at the time of the bar examination and at the time of the oath-taking.
- Involvement in activities that demonstrate grave deficiencies in moral judgment may disqualify an applicant from being admitted to the practice of law.
- Conviction of a crime involving moral turpitude suggests a deficiency in moral character but allows for demonstration of moral reform.
- Probationary relief from criminal conviction does not automatically restore or establish the moral character required for the practice of law.

Historical Background:

This case fits within the broader context of efforts to maintain the integrity and trustworthiness of the legal profession in the Philippines. It underscores the Philippine legal system's emphasis on the moral character of lawyers, influenced by American jurisprudence and the ethical standards established for the practice of law. The case emerged at a time when hazing deaths in the Philippines were a significant social issue, leading to a public outcry against violent fraternity initiations and raising questions about ethics and responsibility within legal and educational institutions.