

****Title:**** Napoleon S. Quitazol vs. Atty. Henry S. Capela

****Facts:****

Napoleon S. Quitazol engaged Atty. Henry S. Capela to represent him in a civil case for breach of contract and damages before the Regional Trial Court (RTC) of Alaminos City, Pangasinan. In exchange for legal services, Napoleon transferred possession of a Toyota Corolla GLE to Atty. Capela. Despite entering his appearance as Napoleon's counsel, Atty. Capela failed to attend multiple scheduled hearings, culminating in Napoleon feeling compelled to agree to a compromise agreement. Feeling inadequately represented, Napoleon demanded the return of his vehicle and additional compensation, which Atty. Capela did not fulfill, leading to Napoleon filing a complaint against Atty. Capela with the IBP Commission on Bar Discipline (IBP-CBD) for violation of professional ethics.

****Procedural Posture:****

Atty. Capela ignored the IBP-CBD's notices to file an answer and attend the mandatory conference, which led to his being declared in default and considered as having waived his right to further participate in the proceedings. After Napoleon's death, his brother, Frank S. Quitazol, substituted him in the proceedings. The IBP-CBD found Atty. Capela administratively liable and recommended his suspension from the practice of law for six months. The IBP Board of Governors later modified this to three years. Atty. Capela's motion for reconsideration was denied, leading to the case being brought before the Supreme Court.

****Issues:****

1. Whether there was an attorney-client relationship between Napoleon S. Quitazol and Atty. Henry S. Capela.
2. Whether Atty. Capela's neglect in attending the hearings constitutes professional misconduct.
3. Whether the affidavit of withdrawal absolves Atty. Capela of administrative liability.
4. The appropriate penalty for Atty. Capela's conduct.

****Court's Decision:****

1. The Supreme Court found that there was an attorney-client relationship between Napoleon and Atty. Capela, evidenced by Capela's actions of entering appearances and filing pleadings on behalf of Napoleon.
2. The Court held that Atty. Capela's failure to attend the hearings constituted negligence and was a violation of professional ethics.

3. The affidavit of withdrawal did not terminate the disciplinary proceedings or absolve Atty. Capela of liability.

4. The Court modified the penalty to a suspension from the practice of law for six months and imposed a fine of P5,000.00 for disobedience to the IBP's orders.

****Doctrine:****

An attorney's neglect of a legal matter entrusted to him constitutes inexcusable negligence and violates Rule 18.03, Canon 18 of the Code of Professional Responsibility, rendering him administratively liable. An affidavit of withdrawal does not terminate disciplinary proceedings against an errant lawyer.

****Class Notes:****

- Attorney-client relationship can be established through the actions of the lawyer representing the client, even in the absence of a signed retainer agreement.
- Rule 18.03, Canon 18 of the Code of Professional Responsibility: A lawyer shall not neglect a legal matter entrusted to him, and his negligence in connection therewith shall render him liable.
- Disciplinary proceedings in the legal profession are not terminated by an affidavit of withdrawal, as their purpose is to maintain the integrity of the legal profession and ensure the administration of justice.
- Failure to comply with the orders of the IBP can lead to additional penalties for lawyers under disciplinary review.

****Historical Background:****

This case reflects the Supreme Court's consistent stance on maintaining the high standards of legal profession integrity and the principle that lawyers are obligated to serve their clients with competence, diligence, and respect for the judiciary and legal processes. The disciplinary actions underscore the profession's self-regulating nature, aimed at purging it of members who fail to meet ethical and professional standards.