

Title: In Re: Petition to Sign in the Roll of Attorneys (Michael A. Medado, Petitioner)

Facts: Michael A. Medado graduated from the University of the Philippines with a Bachelor of Laws in 1979 and passed that year's bar examinations. On May 7, 1980, he participated in the Attorney's Oath ceremony but failed to sign the Roll of Attorneys scheduled on May 13, 1980, due to misplacing the Notice to Sign. He realized his omission years later amidst his ongoing legal practice. Upon attending Mandatory Continuing Legal Education seminars in 2005, the need for a roll number highlighted his failure to formally complete his attorney registration. Medado filed a petition on February 6, 2012, seeking permission to sign the Roll of Attorneys, over 30 years after he was supposed to do so. The Office of the Bar Confidant recommended denying the petition due to gross negligence and misconduct after a clarificatory conference.

Issues: The foremost legal issue was whether Medado should be allowed to sign the Roll of Attorneys despite over 30 years of delay and having practiced law without formal admission to the Philippine Bar. Another issue was determining the appropriate sanction for Medado's unauthorized practice of law for such an extended period.

Court's Decision: The Supreme Court granted Medado's petition, allowing him to sign in the Roll of Attorneys after one year from the receipt of the resolution, subject to payment of a fine (P32,000) and a penalty equivalent to suspension. The Court reasoned that disallowing Medado from becoming a full-fledged lawyer would unfairly equate to disbarment, considering that no serious ethical transgressions warranting such were found against him. The Court acknowledged Medado's good faith and candor in filing the petition himself and his untainted legal career. However, the Court did not entirely exculpate Medado, emphasizing the unforgivable lapse and the unauthorized practice of law, actions that cannot be excused by ignorance or mistake.

Doctrine: This case illustrates the principles regarding the unauthorized practice of law and underscores the significance of formal admission requirements for lawyers in the Philippines. It reiterates the doctrine "*Ignorantia facti excusat; ignorantia legis neminem excusat,*" highlighting that ignorance of law does not excuse the failure to comply with legal obligations, including the requirement to formally sign in the Roll of Attorneys for bar admission.

Class Notes:

1. Unauthorized practice of law: Actions assuming the role of an attorney without authority,

violative of Canon 9 of the Code of Professional Responsibility.

2. Admission to the Bar: Requires both passing the bar examination and formal signing in the Roll of Attorneys.

3. Penalties for Unauthorized Practice: Can include financial penalties, suspension, or actions akin to suspension for those yet to formally enter the profession.

4. Ignorantia facti excusat; ignorantia legis neminem excusat: Ignorance of fact may excuse, but ignorance of law excuses no one.

Historical Background: The resolution of this case underscores the essential formalities of becoming a lawyer in the Philippines—passing the bar and signing the Roll of Attorneys, highlighting the judiciary’s role in maintaining the legal profession’s integrity. Medado’s case is a unique reflection on decades-long oversight intersecting with the ethos of legal practice and the obligations of aspiring members of the bar.