

Title:

Wilfredo M. Catu vs. Atty. Vicente G. Rellosa

Facts:

Wilfredo M. Catu lodged an administrative complaint against Atty. Vicente G. Rellosa, alleging improprieties both as a lawyer and as a public officer. Catu, co-owner of a property in Manila, was embroiled in a dispute when Elizabeth C. Diaz-Catu and Antonio Pastor refused to vacate a unit on the premises. This led to conciliation proceedings in Barangay 723, over which Rellosa, as punong barangay, presided but failed to reach an amicable settlement.

Subsequently, a complaint for ejectment was filed against Diaz-Catu and Pastor, with Rellosa appearing as their counsel. This action prompted Catu's complaint, suggesting a conflict of interest and a breach of professional ethics by Rellosa. The Integrated Bar of the Philippines (IBP) took on the review, which resulted in recommending Rellosa's suspension from legal practice for one month.

Issues:

1. Whether Atty. Vicente G. Rellosa's representation of parties in a case previously mediated by him as punong barangay violates the Code of Professional Responsibility and the ethical standards for public officials.
2. Whether Rellosa contravened any laws prohibiting public officials from engaging in private practice.

Court's Decision:

The Supreme Court modified the IBP's findings and recommendations. It clarified that Rule 6.03 of the Code of Professional Responsibility, concerning post-government service employment, did not apply because Rellosa was an incumbent public official. Moreover, it identified that Section 90 of RA 7160, not Section 7(b)(2) of RA 6713, governed Rellosa's situation, allowing certain local elected officials to engage in private practice, albeit with some restrictions.

However, the Court found that Rellosa violated civil service rules by failing to obtain written permission from the head of his department before engaging in legal practice. For these infractions, particularly the breach of professional ethics stemming from engaging in unauthorized law practice and violating civil service regulations, the Supreme Court found Rellosa guilty of professional misconduct, suspending him from the practice of law for six

months.

Doctrine:

1. **Rule 6.03 Application:** This rule only applies to lawyers who have left public service, not to incumbents engaging in actions related to their previous government intervention.
2. **Practice of Profession by Public Officials:** Elective local government officials are subject to specific provisions under RA 7160 regarding engaging in private practice, distinct from the general restrictions under RA 6713.

Class Notes:

- **Essential Concepts:** Rule 6.03 of the Code of Professional Responsibility; Section 90 of RA 7160 versus Section 7(b)(2) of RA 6713; Requirement of written permission for public officials engaging in private practice.
- **Application:** Public officials must navigate the gray area between their duties and the practice of their professions, ensuring compliance with relevant laws and ethics codes to avoid conflicts of interest and uphold professional conduct.

Historical Background:

This case highlights the ethical and regulatory challenges facing public officials in the Philippines who are also practicing lawyers. The nuanced distinctions between national statutes and local regulations underscore the importance of understanding the legal landscape thoroughly to prevent conflicts of interest and ensure ethical compliance in both public duties and private practice.