

****Title:**** Gregory U. Chan vs. NLRC Commissioner Romeo L. Go and Atty. Jose Raulito E. Paras

****Facts:****

The case initiated with a verified Complaint by Gregory U. Chan against NLRC Commissioner Romeo L. Go and Atty. Jose Raulito E. Paras, seeking disbarment or disciplinary sanctions for alleged misconduct. Chan accused them of influence peddling and attempting to extort money regarding an illegal dismissal case filed against him by Susan Que Tiu, which the labor arbiter ruled in favor of on July 18, 2003. Throughout the proceedings, Chan claimed that Go and Paras attempted to negotiate settlements in Tiu's favor during various meetings held at different restaurants, under the pretense that Go could influence the case's outcome through his position at the NLRC.

After the NLRC affirmed the labor arbiter's decision with minor modifications, Chan pursued a Petition for Review on Certiorari with the Supreme Court. Concurrently, Chan filed a Grave Misconduct case against Go and Paras with the Office of the Ombudsman and faced a separate legal challenge from Paras for alleged Grave Oral Slander, among other charges. Chan also noted receiving death threats post-complaint filing. The Court of Appeals later affirmed the NLRC's resolution, adjusting the monetary award to P737,757.41, against which Chan and his companies filed a Supreme Court petition pending resolution.

****Issues:****

1. Whether respondents engaged in influence peddling and extortion.
2. Whether the allegations supported a charge of misconduct under the Code of Professional Responsibility and other relevant legal and ethical standards.
3. The appropriateness of disciplinary action against Go and Paras.

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

The Supreme Court dismissed the complaint for a lack of merit, finding insufficient evidence to substantiate Chan's claims of influence peddling, extortion, or misconduct. The court noted that the labor case had been decided in Tiu's favor before and after the alleged incidents, contradicting the influence peddling claim. Moreover, the receipts and affidavits provided by Chan failed to concretely prove Go and Paras' involvement as alleged. The court also highlighted inconsistencies and behavioral improbabilities in Chan's account of events. It stressed that disciplinary action requires clear, convincing, and satisfactory evidence,

which Chan did not provide.

****Doctrine:****

In disbarment and disciplinary proceedings, the complainant bears the burden of proof, and the court relies on clear, convincing, and satisfactory evidence to adjudicate claims of professional misconduct. The court's duty extends to both disciplining culpable lawyers and protecting those unjustly accused.

****Class Notes:****

- ****Burden of Proof in Disciplinary Cases:**** The complainant must establish the case with clear, convincing, and satisfactory evidence.
- ****Evidence in Misconduct Allegations:**** Mere receipts of meetings or unsubstantiated claims do not suffice to prove professional misconduct.
- ****Professional Misconduct:**** Professional misconduct allegations must be supported by concrete evidence demonstrating unlawful, dishonest, immoral, or deceitful conduct.
- ****Timing of Complaint:**** The timing and context of filing a complaint may influence the court's perception of its motives and merits.

****Historical Background:****

This case reflects the stringent standards the Philippine Supreme Court applies in disciplinary proceedings against lawyers, emphasizing the need for substantial evidence to support claims of professional misconduct. It underscores the Court's dual role in upholding disciplinary standards within the legal profession while protecting the integrity and reputation of lawyers against baseless or malicious allegations. The court's decision reinforces core principles of accountability and integrity that are fundamental to the legal profession's ethical framework.