

Title:

****Plus Builders, Inc. and Edgardo C. Garcia vs. Atty. Anastacio E. Revilla, Jr.: A Case of Professional Misconduct****

Facts:

The case stems from a Verified Petition for Disbarment against Atty. Anastacio E. Revilla, Jr., initiated by Plus Builders Inc. and Edgardo C. Garcia before the Integrated Bar of the Philippines (IBP). The complaint outlines incidents of falsehood, misuse of court procedures to delay judgment execution, and collaboration with non-lawyers in illegal law practice by Revilla.

The administrative dispute initiated when Plus Builders Inc. filed a consolidated case before the Provincial Adjudicator of Cavite (PARAD) against various defendants, leading to a Decision in Plus Builders' favor on November 15, 1999. Over months, several appeals and motions were filed by the defendants' changing legal representatives, resulting in the denial of appeals and affirming the initial decision.

The procedural journey saw Atty. Revilla entering the scene in 2001, attempting a caption correction and amendment of judgment under a new entity, Kalayaan Development Corporation (KDC), which was denied. Multiple legal maneuvers from Revilla included filing a Petition for Preliminary Injunction with the DARAB Central Office, leading to temporary restraining orders. However, these were nullified by a Court of Appeals' decision in 2001, which was further upheld by the Supreme Court.

Failing in appellate courts, Revilla filed an "Action to Quiet Title" in the Regional Trial Court of Imus, Cavite, while representing a coalition that included unlicensed practitioners, a move questioned by the complainants. This action was quashed and dismissed on grounds of "res judicata" because the appellate decision on the PARAD judgment had become final.

During IBP proceedings, Revilla argued for his clients' ownership rights based on prescription, a stance conflicting with earlier positions acknowledging Plus Builders' ownership. Investigation by the IBP Commissioner found Revilla guilty of violating his attorney's oath and the Code of Professional Responsibility, recommending a two-year suspension.

Issues:

1. Did Atty. Anastacio E. Revilla, Jr.'s actions constitute a willful and intentional falsehood before the court?

2. Did Atty. Revilla misuse court procedures to unduly delay the execution of a judgment?
3. Was Atty. Revilla collaborating with non-lawyers in the illegal practice of law?

Court's Decision:

The Supreme Court concurred with the IBP board of governors' findings and recommendation, suspending Atty. Revilla for two years from the practice of law for gross misconduct. The Court highlighted Revilla's attempts to circumvent judicial processes and upheld integrity, honesty, and candor as indispensable lawyer virtues, pointing out his violation of the Code of Professional Responsibility particularly in engaging with non-lawyers in legal practice.

Doctrine:

The decision reinforced principles against the misuse of legal procedures and the illegality of legal practice with non-lawyers, underlining the attorney's oath and adherence to the Code of Professional Responsibility as sacrosanct.

Class Notes:

- ****Duty to the Court:**** Lawyers must act with honesty and not misuse court procedures (Code of Professional Responsibility, Rule 10.03).
- ****Unauthorized Practice of Law:**** Lawyers cannot engage in legal practice with non-lawyers or delegate legal tasks that only lawyers can perform (Canon 9, Rule 9.01).
- ****Professional Misconduct:**** Engaging in actions that deliberately delay justice and collaborating with non-licensed individuals in legal practice constitutes gross misconduct warranting suspension.

Historical Background:

This case vividly illustrates the repercussions for lawyers who deviate from the ethical conduct expected by the legal profession, particularly emphasizing accountability in the face of misuse of legal procedures and ensuring the integrity of legal representation.