

Title: Bukidnon Cooperative Bank vs. Atty. Jose Vicente M. Arnado

Facts:

Bukidnon Cooperative Bank engaged Asiatique International Travel & Tours Services Co., Ltd. for travel arrangements to Singapore, paying P244,640.00 in advance. The trip was canceled due to unconfirmed accommodations, leading to a demand for a refund from Asiatique, which was not granted. Bukidnon Cooperative then filed a civil case against Asiatique's owner, Noel Encabo. Encabo, defended by Atty. Jose Vicente Arnado, argued that the non-refundability of tickets and procedural delays in refunds were the issues. At the pre-trial, Atty. Arnado, through a proxy lawyer, pre-marked altered electronic tickets as evidence. Bukidnon Cooperative demanded verification from VIA Philippines, leading to the revelation that the tickets were altered. Consequently, a disbarment complaint was lodged against Atty. Arnado, claiming negligence in examining the authenticity of evidence. Despite Bukidnon Cooperative's later withdrawal of the complaint, the IBP pursued the investigation, concluding that while there was negligence, there was no malicious intent from Atty. Arnado.

Issues:

1. Is Atty. Arnado administratively liable for presenting altered documents in court?
2. Does the unilateral withdrawal of an administrative complaint against a lawyer automatically result in its dismissal?
3. What are the responsibilities of lawyers towards the court in terms of candor and honesty?

Court's Decision:

The Supreme Court ruled that Atty. Arnado was liable for carelessness in presenting altered evidence, highlighting that lawyers must exercise greater care in ensuring the authenticity of the documents they present. The Court emphasized that a complainant's withdrawal of an administrative complaint does not automatically result in its dismissal, especially when evidence of wrongdoing exists. Lawyers are reminded of their duty to the court - to practice candor, fairness, and good faith.

Doctrine:

A lawyer's duty of candor, fairness, and good faith to the court is imperative, and negligence in this regard, even without malicious intent, is punishable. The unilateral withdrawal of a disbarment complaint does not necessarily terminate the investigation if evidence of liability exists.

Class Notes:

- Lawyers must verify the authenticity of the evidence they present to prevent misleading the court.
- Administrative liability of lawyers can proceed independent of the complainant's withdrawal.
- Duty to the court: practicing candor, fairness, and good faith.
- Relevant provisions: Code of Professional Responsibility, Canon 10, Rule 10.01, and Section 5, Rule 139-B of the Rules of Court.

Historical Background:

This case underscores the growing concern over the authenticity of digital documents in legal proceedings and the responsibilities of legal professionals in this digital age. It serves as a cautionary tale for the legal community to adapt more rigorous standards in the verification of digital evidence, ensuring the integrity of legal processes in light of technological advancements.