

****Title:**** In Re: Suspension from the Practice of Law in the Territory of Guam of Atty. Leon G. Maquera

****Facts:**** Atty. Leon G. Maquera was suspended from practicing law in Guam for acquiring his client's property in payment for legal services, then selling it for a substantial profit. This case began when the Guam Bar Ethics Committee filed a disciplinary case against Maquera, resulting in his two-year suspension by the Superior Court of Guam. Upon learning of his suspension, the Supreme Court of the Philippines was prompted to examine whether Maquera's actions in Guam warranted disciplinary action in the Philippines. The Philippine Supreme Court received the case records from Guam and referred the matter to the Integrated Bar of the Philippines (IBP) for investigation and recommendation. The IBP found Maquera had failed to pay his membership dues from 1977 to the present and recommended indefinite suspension from the Philippine practice of law until dues were settled.

****Issues:**** The primary legal issue was whether Atty. Leon G. Maquera's suspension from the practice of law in Guam for acquiring a client's property at a significantly undervalued price and selling it for a substantial profit, actions considered unethical in the legal profession, should also result in disciplinary action in the Philippines. Additionally, the Court examined if Maquera's non-payment of IBP dues was grounds for suspension from practicing law in the Philippines.

****Court's Decision:**** The Philippine Supreme Court resolved that Maquera's conduct in Guam, which led to his suspension there, also violated Philippine laws and the ethical standards of the Philippine legal profession, specifically the Civil Code (Articles 1491 and 1492) and the Code of Professional Responsibility (Canon 17 and Rule 1.01). However, due process required that he be given an opportunity to defend himself against these charges in the Philippines. The Court directed the Bar Confidant to find Maquera's current address to serve a notice upon him. Meanwhile, the Court agreed with the IBP's recommendation to suspend Maquera for failing to pay his IBP dues, emphasizing the importance of maintaining membership in good standing as part of professional responsibility.

****Doctrine:**** The case reiterates the doctrine that unethical conduct by a Philippine lawyer in a foreign jurisdiction where they are also admitted to practice law is a valid ground for disciplinary action in the Philippines, as stipulated in Section 27, Rule 138 of the Revised Rules of Court. It also underscores the requirement for continuous good moral character and adherence to professional ethics, not just for admission to the Philippine Bar but

throughout one's legal career.

****Class Notes:****

- ****Essential Principles:**** The continuous obligation of lawyers to adhere to ethical standards; the applicability of foreign disciplinary action to Philippine jurisdiction under certain conditions; the importance of maintaining good moral character.
- ****Relevant Legal Statutes or Provisions:****
- ****Section 27, Rule 138 of the Revised Rules of Court:**** Grounds for disbarment or suspension, including unethical conduct in a foreign jurisdiction.
- ****Articles 1491 and 1492 of the Civil Code:**** Restrictions on lawyers acquiring client property involved in litigation.
- ****Code of Professional Responsibility—Canon 17 and Rule 1.01:**** Duties of fidelity to a client's cause and prohibition against engaging in dishonest, immoral, or deceitful conduct.
- ****Application/Interpretation:**** Unethical conduct in a foreign jurisdiction, if proven, is a ground for disciplinary action in the Philippines, emphasizing the universality of legal ethics among jurisdictions where a lawyer may practice.

****Historical Background:**** This case marks a significant instance where the Philippine Supreme Court deliberated on the extent to which disciplinary actions in a foreign jurisdiction can influence or dictate parallel sanctions in the Philippines, thereby reinforcing the global standards of legal ethics among members of the Philippine Bar.