

Title: **Jimenez & Vizconde vs. Atty. Felisberto L. Verano, Jr.**

Facts:

The root of this case sprang from the alleged involvement of Atty. Felisberto Verano, Jr. in drafting a release order on behalf of his clients, Richard S. Brodett and Joseph R. Tecson, also known as the “Alabang Boys,” using Department of Justice (DOJ) letterhead and stationery. This was during the time when the charges against Brodett and Tecson for the illegal sale and use of dangerous drugs were dropped due to lack of probable cause, a decision that was widely reported and raised public concern over potential bribery within the judicial process. The matter escalated to the Philippine Supreme Court after initial complaints were made to the Chief Justice by Dante La Jimenez and Lauro G. Vizconde, founders of Volunteers Against Crime and Corruption (VACC), and a separate complaint by Atty. Oliver O. Lozano. Both complaints, which eventually consolidated, accused Atty. Verano of unethical conduct and violation of the Code of Professional Responsibility, particularly the misuse of DOJ letterhead and attempt to influence or garner special treatment from public officials.

Issues:

1. Did Atty. Felisberto L. Verano, Jr.’s drafting of a release order using DOJ letterhead and presenting it to the Secretary of Justice constitute unethical conduct and violation of the Code of Professional Responsibility?
2. Was Atty. Verano’s action indicative of an attempt to influence or appear to influence a public official, thereby undermining the administration of justice?

Court’s Decision:

The Philippine Supreme Court found Atty. Felisberto L. Verano, Jr. guilty of violating Rules 1.02 and 15.07, in relation to Canon 13 of the Code of Professional Responsibility. The Court determined that Atty. Verano’s actions did constitute an unethical attempt to influence or appear to influence a public official, notably the Secretary of Justice, by preparing the release order using official DOJ stationery and attempting to facilitate its approval. Rather than a mere warning, the Court decided that a suspension from the practice of law for six (6) months would be the appropriate disciplinary action against Atty. Verano for his actions.

Doctrine:

The Court reiterated the importance of adherence to the Code of Professional Responsibility by members of the bar, highlighting specific canons and rules such as Canon 13, and Rules 1.02 and 15.07. These emphasize a lawyer’s duty to rely on the merits of their case, avoid

improprieties that influence or appear to influence public officials, counsel against activities that defy the law or lessen confidence in the legal system, and impress upon their client the importance of compliance with laws and principles of fairness.

****Class Notes:****

- ****Canon 13 of the Code of Professional Responsibility****: Lawyers should rely on the merits of their cause and refrain from any impropriety influencing or appearing to influence court decisions.
- ****Rule 1.02****: A lawyer shall not counsel or abet activities aimed at defiance of the law or at lessening confidence in the legal system.
- ****Rule 15.07****: A lawyer must impress upon their client the importance of compliance with the law and principles of fairness.
- ****Legal Principle****: Influence-peddling, or attempting to unduly influence public officials, is strictly prohibited and punishable by suspension or disbarment.
- ****Application****: Lawyers must conduct themselves within the bounds of law and ethics, prioritizing the administration of justice over the success of their clients' cases.

****Historical Background:****

This case falls within a period of increased scrutiny over legal ethics and the accountability of legal professionals in the Philippines. It underscores the judiciary's continuous efforts to maintain the integrity and credibility of the legal profession by enforcing strict adherence to ethical standards among its members, especially in handling cases with significant public interest and potential implications on public trust in the justice system.