

### Title:

**\*\*Disbarment of Atty. Lauro L. Tapucar for Grossly Immoral Conduct\*\***

### Facts:

Remedios Ramirez Tapucar filed a disbarment complaint against her husband, Atty. Lauro L. Tapucar, for grossly immoral conduct, specifically cohabiting with another woman under scandalous circumstances. This was not the first administrative case against Tapucar; previously, he had faced charges related to conduct unbecoming an officer of the court, resulting in suspensions and eventual dismissal from his judicial position.

The complaint detailed how Atty. Tapucar left his family to live with Elena (Helen) Peña, bearing children with her despite being married to Remedios. Despite previous penalties for similar misconduct, Tapucar persisted in his behavior, marrying Peña without dissolving his first marriage. The complaint was filed through the assistance of Tapucar's daughter, Atty. Ma. Susana Tapucar-Baua.

The Commission on Bar Discipline of the Integrated Bar of the Philippines (IBP), upon investigation, found overwhelming evidence of Tapucar's grossly immoral conduct. The Board of Governors of the IBP recommended disbarment. Tapucar, in his defense, argued that being penalized again would constitute double jeopardy, a claim the IBP and subsequently the Supreme Court found without merit.

### Issues:

1. Whether or not Atty. Tapucar's continued cohabitation with another woman, marrying her while his first marriage subsists, and abandoning his family constitute grossly immoral conduct warranting disbarment.

### Court's Decision:

The Supreme Court agreed with the IBP's findings and recommendation, ruling in favor of disbarment. Each of Tapucar's acts of immorality was addressed individually, and the Court found that these acts collectively demonstrated a blatant disregard for the ethical standards expected of a lawyer. The Supreme Court highlighted that moral character is not only a prerequisite for admission to the legal profession but must also be maintained to preserve one's standing within it. Tapucar's conduct was deemed to severely damage the integrity of the legal profession and undermine public trust in the justice system. Consequently, Atty. Lauro L. Tapucar was disbarred and his name was ordered to be stricken off the Roll of Attorneys.

### Doctrine:

The case reiterates the doctrine that lawyers, as officers of the court, must uphold the highest standards of morality, integrity, and decency, both in their professional and private lives. Their conduct must not only adhere to the legal profession's ethical norms but must also not bring disrepute to the legal profession or the justice system. Failure to adhere to these standards can result in disbarment.

### Class Notes:

- **Key Elements for Disbarment for Gross Immorality:** Persistent immoral conduct that goes against societal norms, failure to maintain high moral character in both public and private life, and actions that discredit the legal profession.
- **Relevant Rules from the Code of Professional Responsibility:** Rule 1.01, which prohibits engaging in unlawful, dishonest, immoral or deceitful conduct; and Rule 7.03, which prohibits conduct that adversely reflects on fitness to practice law or behaving in a scandalous manner to the discredit of the legal profession.
- **Application:** Attorneys must consistently demonstrate integrity and uphold the dignity of the legal profession through their actions. Immoral conduct, particularly that which continues even after prior penalties, can lead to disbarment.

### Historical Background:

This case highlights the strict ethical standards imposed on members of the Philippine legal profession and the severe consequences for those who fail to live up to these standards. It reflects the judiciary's role in self-regulation and the importance of public trust in the administration of justice. Atty. Tapucar's disbarment serves as a potent reminder of the non-negotiable demand for moral uprightness within the legal fraternity, not only in the Philippines but universally in jurisdictions that value the integrity of the legal profession.