

Title:

Gerónimo J. Jimeno, Jr. vs. Atty. Flordeliza M. Jimeno: A Case of Professional Misconduct and Falsification of Public Document

Facts:

This case stems from a complaint filed by Gerónimo J. Jimeno, Jr. (complainant) against his cousin, Atty. Flordeliza M. Jimeno (respondent), before the Integrated Bar of the Philippines (IBP) Commission on Bar Discipline (CBD) on July 10, 2012. The complainant accused the respondent of unlawful, dishonest, immoral, and deceitful conduct, particularly falsification of a public document, and violation of client-confidences under the Code of Professional Responsibility (CPR).

The contention revolves around a Deed of Absolute Sale dated September 8, 2005, through which the respondent, acting as the attorney-in-fact, purportedly sold a property belonging to the late spouses Geronimo P. Jimeno, Sr. and Perla de Jesus Jimeno, the complainant's parents. The complainant alleged the deed was falsified due to the signature of his already deceased mother, incorrect marital status of his father, misrepresentation of property ownership, and inaccuracies in Geronimo Sr.'s residence and postal address.

The respondent defended her actions by asserting her lack of involvement in the document's preparation and maintained that the sale was with consent from all Jimeno children. The IBP-CBD initially recommended a reprimand, but upon the complainant's motion for reconsideration, escalated the penalty to a six-month suspension from legal practice, a decision affirmed by the IBP Board of Governors and eventually the Supreme Court of the Philippines.

Issues:

1. Whether the respondent's actions in relation to the falsified Deed of Absolute Sale constitute violations of the CPR, particularly:

- Engaging in unlawful, dishonest, immoral, or deceitful conduct.
- Violating the duty to preserve client confidences.

Court's Decision:

The Supreme Court affirmed the IBP's findings and held the respondent administratively liable. The Court ruled that the respondent violated several canons of the CPR, including:

- Canon 1, Rule 1.01, for engaging in deceitful conduct by becoming a party to a document that contained false information.

- Canon 15, Rule 15.07, for failing to ensure her client's compliance with the law.
- Canon 19, Rule 19.01, for employing dishonest means to achieve her client's objectives.

The Court rejected the respondent's defense of good faith and reliance on the Jimeno children's assurances, emphasizing a lawyer's duty to the legal profession's integrity over client instructions. Consequently, the respondent was suspended from practicing law for six months.

Doctrine:

The Court reiterated that lawyers must observe honesty, integrity, and trustworthiness in their dealings, as mandated by the Lawyer's Oath and the CPR. Lawyers are bound to uphold the law and legal processes and must not engage in or consent to falsehoods, employ dishonest or deceitful conduct, or violate client confidences.

Class Notes:

- **Lawyer's Oath**: Embodies the fundamental duties of honesty, integrity, and fidelity to the law and the courts.
- **Canon 1, Rule 1.01, CPR**: Prohibits lawyers from engaging in unlawful, dishonest, immoral, or deceitful conduct.
- **Canon 15, Rule 15.07, CPR**: Obligates lawyers to encourage their clients to act within the law.
- **Canon 19, Rule 19.01, CPR**: Requires lawyers to employ only fair and honest means in representing clients.
- **Critical Concepts**:
 - **Integrity of Legal Profession**: Lawyers' actions must reflect the high ethical standards expected of the profession.
 - **Duty to the Law**: Lawyers' primary responsibility is to uphold the law and advise clients accordingly, even against the clients' wishes if those wishes contravene legal norms.

Historical Background:

This case underscores the rigorous standards of conduct expected from legal practitioners in the Philippines. It serves as a reminder of the potential consequences for those who fall short of these standards, emphasizing the paramount importance of honesty and integrity in the legal profession and the protective measures in place to maintain public confidence in the justice system.