

Title: Atty. Bonifacio T. Barandon, Jr. vs. Atty. Edwin Z. Ferrer, Sr.

Facts:

The factual backdrop of this case began when Atty. Bonifacio T. Barandon, Jr. lodged a complaint-affidavit on January 11, 2001, with the Integrated Bar of the Philippines Commission on Bar Discipline (IBP-CBD), aiming for the disbarment, suspension, or imposition of disciplinary action against Atty. Edwin Z. Ferrer, Sr. The complaint was predicated on several incidents that painted Atty. Ferrer in an unprofessional light, ranging from filing litigations with offensive language, making unfounded accusations of falsification against Atty. Barandon, issuing threats, and displaying misconduct likely to harm the dignity of the legal profession.

Atty. Ferrer defended himself by alleging that Atty. Barandon had skirted proper legal procedures and was engaged in forum shopping. Over the years, the case journeyed through the IBP's disciplinary system, with investigations leading to recommendations for Atty. Ferrer's suspension, albeit with variations in the proposed duration.

Eventually, the case escalated to the Supreme Court upon Atty. Ferrer's motion for reconsideration being referred back by the Court to the IBP, which affirmed its earlier decision against him. Atty. Ferrer then treated the Board of Governors' notice of resolution as a petition for review under Rule 139 of the Revised Rules of Court, leading to Atty. Barandon reaffirming his arguments.

Issues:

1. Whether the IBP Board of Governors and the Investigating Commissioner were correct in finding Atty. Ferrer guilty of the charges against him.
2. Determining the appropriateness of the penalty imposed on Atty. Ferrer.

Court's Decision:

The Supreme Court affirmed the findings and recommendations of the IBP Board of Governors and the Investigating Commissioner. The Court underscored the expectations of professionalism and morality inherent to the practice of law, highlighting Canon 8 of the Code of Professional Responsibility concerning courtesy and fairness, and Rule 8.01 on the prohibition of abusive language. The Court reiterated the importance of maintaining dignity and integrity as per Canon 7 and Rule 7.03 of the Code. It concluded that Atty. Ferrer's conduct, including using offensive language and engaging in behavior unbecoming of a lawyer, warranted administrative sanctions. Consequently, Atty. Ferrer was suspended from

the practice of law for one year.

Doctrine:

This case enforces the doctrine that lawyers must uphold the dignity and integrity of the legal profession at all times, refraining from abusive, offensive, or otherwise improper conduct in their professional dealings, per Canon 8, Rule 8.01, and Canon 7, Rule 7.03 of the Code of Professional Responsibility.

Class Notes:

- **Legal Professionalism**: Lawyers are expected to act with professionalism, maintaining courtesy and fairness towards colleagues.
- **Use of Language**: Even in adversarial proceedings, lawyers must use dignified language that respects the legal forum and all its participants.
- **Due Process in Disciplinary Actions**: The essence lies in the chance to be heard and submit evidence in defense.
- **Sanctions for Misconduct**: Improper conduct by a lawyer, either professionally or in private life that discredits the legal profession, can lead to suspension or disbarment.

Historical Background:

In the broader context, this case exemplifies the Philippine legal system's ongoing efforts to police its own ranks, ensuring that the ethical standards and integrity expected of legal practitioners are maintained. It demonstrates the procedural journey through the Integrated Bar of the Philippines' disciplinary system and illustrates the Supreme Court's authoritative role in the final adjudication of disciplinary actions against lawyers, thereby upholding the profession's integrity.