

Title:

Reinstatement of Atty. Marcial A. Edillon to the Philippine Bar: A Case of Constitutional and Professional Ethics Consideration

Facts:

The case revolves around Atty. Marcial A. Edillon's refusal to pay his membership dues to the Integrated Bar of the Philippines (IBP), which led to his disbarment in 1978. The IBP, upon unanimous decision on November 29, 1975, recommended to the Supreme Court the removal of Edillon's name from the Roll of Attorneys for his "stubborn refusal to pay membership dues" since the bar's constitution, despite due notice. This recommendation was officially submitted to the Supreme Court by the IBP's then-President on January 21, 1976.

Following due process, the Supreme Court required Edillon to comment on the resolution and letter from the IBP, which Edillon did by reiterating his refusal to pay the dues. Subsequent exchanges of arguments and a formal hearing took place, leading to the Supreme Court's unanimous decision to disbar Edillon, citing the necessity of bar integration to raise professional standards and ensure the bar's public responsibility.

From 1978, following his disbarment, Edillon submitted several pleas for reinstatement, highlighting changes in his stance, including admission of the Court's jurisdiction, settlement of dues, and appeals to mitigating circumstances such as health and advanced age.

Issues:

1. Whether non-payment of IBP dues warrants disbarment.
2. If compulsory integration of the bar and requirement of membership dues payment infringes on constitutional rights.
3. Consideration of mitigating factors in the reinstatement to the practice of law after disbarment.

Court's Decision:

The Court's resolution to reinstate Edillon was anchored on various considerations. It recognized the full and discretionary power of the Supreme Court in the regulation and integration of the legal profession, including the imposition of membership dues for the IBP. The Court highlighted that Edillon's disbarment was primarily due to his refusal to recognize this regulatory power and fulfill the requirements thereof.

Upon Edillon's change of behavior, acknowledgment of the Court's authority, and settlement of dues, combined with personal circumstances and the passage of time, the Court deemed it appropriate to allow his reinstatement. The Court emphasized that membership in the bar is a privilege with attached conditions, and failure to adhere to these could result in the loss of such privilege. However, the Court also noted that there is room for consideration of reinstatement after sufficient evidence of reform and contrition is shown.

Doctrine:

This case reinforces the doctrine that the Supreme Court holds full and plenary discretion in the regulation of the legal profession, including the integration of the bar and the enforcement of membership dues. It also establishes that disbarment is not irreversible and that reinstatement can be considered under the Court's discretion after appropriate evaluation of individual circumstances and evidence of reform.

Class Notes:

- ****Integration of the Philippine Bar:**** Mandatory and serves to raise professional standards and ensure public responsibility.
- ****Membership Dues:**** Payment is compulsory; non-compliance can result in suspension or disbarment.
- ****Constitutional Rights:**** Compulsory integration and dues payment do not infringe on constitutional rights as per the Supreme Court's interpretation.
- ****Disbarment and Reinstatement:**** The Supreme Court has the discretion to disbar and reinstate attorneys, considering both legal standards and mitigating personal circumstances.

Historical Background:

The issue of bar integration and the imposition of membership dues have been subjects of contention, touching on the balance between professional regulation and individual freedoms. This case signifies a pivotal moment where the Supreme Court affirmed its authority over the legal profession while also highlighting the potential for remedial measures post-disbarment, reflecting the justice system's capacity for flexibility and compassion.