

**\*\*Title:\*\* Canete vs. Atty. Artemio Puti: A Disciplinary Action for Unprofessional Conduct in Court** (Case Brief / Digest)

**\*\*Facts:\*\*** The case originated with an administrative complaint filed by Carmelita Canete against Atty. Artemio Puti at the Commission on Bar Discipline (CBD) of the Integrated Bar of the Philippines (IBP). Canete accused Atty. Puti of appearing in court while intoxicated, making discourteous remarks towards the prosecutors and the judge, and provoking her private counsel, Atty. Arturo Tan, by derogatory name-calling in open court. The incidents in question transpired during various hearings related to a criminal case for kidnapping for ransom with double murder, in which Canete's husband was the victim, and Atty. Puti represented the accused.

The procedure leading to the Supreme Court involved a mandatory conference followed by orders for both parties to submit their position papers. The Investigating Commissioner of the CBD recommended a two-year suspension for Atty. Puti, which was later modified by the IBP Board of Governors to a six-month suspension. Atty. Puti did not file a motion for reconsideration against the IBP Resolution.

**\*\*Issues:\*\***

1. Whether Atty. Puti appeared in court while intoxicated.
2. Whether Atty. Puti's language and conduct towards the prosecutors and the judge violated the Lawyer's Oath and the Code of Professional Responsibility.

**\*\*Court's Decision:\*\***

The Court held Atty. Puti not liable for appearing intoxicated in court, as there was insufficient evidence. However, it found him guilty of employing discourteous language and unprofessional conduct towards his fellow lawyers and the sitting judge. These actions violated Canons 8 and 11 and Rules 8.01, 11.03, and 11.04 of the Code of Professional Responsibility. Notably, the Supreme Court disagreed with the IBP's recommendation for a suspension and instead issued a reprimand with a stern warning for Atty. Puti, citing his three decades of infraction-free legal practice.

**\*\*Doctrine:\*\***

The decision reiterated the importance of maintaining courtesy, fairness, and candor towards professional colleagues and the courts, as outlined in the Code of Professional Responsibility. It emphasized that while zeal in representation is commendable, it must never transgress boundaries of professionalism and respect for the court and its officers.

**\*\*Class Notes:\*\***

1. **\*\*Lawyer's Oath and Code of Professional Responsibility:\*\*** Lawyers must conduct themselves with respect, courtesy, and fairness towards judicial officers, colleagues, and others, abstaining from offensive, harassing, or improper language.
2. **\*\*Canon 8, Rule 8.01:\*\*** Prohibits lawyers from using abusive, offensive, or otherwise improper language in their professional dealings.
3. **\*\*Canon 11, Rules 11.03 and 11.04:\*\*** Requires lawyers to maintain respect for the courts and avoid attributing to judges motives not supported by the record.
4. **\*\*Application:\*\*** The case illustrates how the principles of professional conduct apply in practice, particularly regarding attorney behavior in court.

**\*\*Historical Background:\*\*** This case reflects the legal community's ongoing efforts to uphold the integrity and professionalism of the legal profession in the Philippines. It underscores the imperative for legal representatives to adhere to ethical standards, even when advocating passionately for their clients, and reaffirms the mechanisms in place for holding them accountable.