

### Title:

Habawel & Medina vs. Court of Tax Appeals: A Case on the Limits of Legal Advocacy and Respect for Judicial Authority

### Facts:

Denis B. Habawel and Alexis F. Medina, attorneys for Surfield Development Corporation, petitioned the Supreme Court for relief through certiorari against their conviction of direct contempt by the Court of Tax Appeals (CTA) First Division. The impugned resolutions, dated May 16, 2006, and July 26, 2006, found the petitioners guilty of direct contempt for using contumacious language in their motion for reconsideration and sentenced them to ten days' imprisonment and a fine of P2,000.00 each. Surfield sought a refund of excess realty taxes paid from 1995 to 2003 from Mandaluyong City which the City Government denied, leading Surfield to file a special civil action for mandamus in the Regional Trial Court (RTC). The RTC dismissed the petition, and Surfield, through Habawel and Medina, appealed to the CTA which was also denied on jurisdictional grounds.

### Issues:

1. Whether the language used by the petitioners in their motion for reconsideration was contemptuous.
2. Whether the petitioners' apologies for their language were sincere and whether their behavior was arrogant.
3. Whether the CTA First Division's exercise of its power to punish for contempt was within the limits set by the Supreme Court.
4. Whether the petitioners were found guilty beyond a reasonable doubt of direct contempt.

### Court's Decision:

The Supreme Court dismissed the petition for certiorari, upholding the CTA First Division's ruling that the petitioners committed direct contempt through their disrespectful and contumacious language against the court. However, the Court modified the penalty by removing the imprisonment sentence and only imposing a fine of P2,000.00 on each petitioner.

### Doctrine:

This case reiterates the principle that lawyers must observe and maintain respect due to courts and judicial officers, abstaining from any derogatory, offensive, or menacing language or behavior. The decision underscores the judiciary's prerogative to preserve its dignity and authority through the exercise of its contempt powers against those who

disrespect its processes or direct offensive language towards it or its officers.

### Class Notes:

- **Direct Contempt**: Actions that disrespect the court or its officers, conducted in its presence or so near to obstruct or interrupt proceedings.
- **Professional Responsibility**: Lawyers are bound by the Code of Professional Responsibility to respect courts and judicial officers, avoiding any scandalous, offensive, or menacing language or behavior.
- Canon 11 and Rule 11.03 stress the duty of lawyers to uphold this respect.
- **Contempt Powers**: Courts have inherent powers to punish for contempt, preserving the respect and dignity essential for the administration of justice. This power must be wielded on a preservative, not vindictive, basis.
- **Legal Advocacy vs. Respect for Courts**: While zealous advocacy is encouraged, it must never transgress the boundaries of respect and decency towards the court and its officers.

### Historical Background:

The context of this case highlights ongoing tensions between the judiciary's authority to adjudicate with respect and dignity and the legal profession's zeal in advocating for their clients' rights. It reflects the delicate balance the legal system maintains between free expression in legal advocacy and the imperative of maintaining due respect for judicial processes and personnel.