

Title: In the Matter of the Disciplinary Action Against Atty. Vicente Raul Almacen

Facts:

Antonio H. Calero, represented by Atty. Vicente Raul Almacen, faced an adverse trial court judgment in a civil case against Virginia Y. Yaptinchay. After receiving a copy of the decision on June 15, 1966, Almacen filed a motion for reconsideration without notifying the adverse counsel of its hearing, leading to its denial due to “lack of proof of service.” A second motion for reconsideration was also filed, later withdrawn by Almacen, who then appealed. The appeal, deemed out of time, was dismissed by the Court of Appeals, citing a prior Supreme Court decision for guidance, which Almacen unsuccessfully sought to reconsider, citing another case supposedly contradicting the dismissal basis.

Rejecting Almacen’s appeal and subsequent motions, the Supreme Court affirmed the Appeals Court’s dismissal, leading Almacen to publicly vent his frustrations, accusing the Supreme Court of injustices against his client and the judiciary at large. His outbursts in a petition to surrender his lawyer’s certificate and subsequent press releases were tantamount to scathing critiques labeling the Court and its justices as blind, deaf, dumb to justice, and accused of constitutional violations, igniting disciplinary proceedings against him by the Court for gross misconduct and disrespectful conduct unbecoming of a lawyer.

Issues:

1. Whether Atty. Vicente Raul Almacen’s public accusations against the Supreme Court and its Justices constituted a gross misconduct and disrespect warranting disciplinary actions.
2. The nature of disciplinary actions appropriate for Atty. Almacen’s conduct if found culpable of such charges.

Court’s Decision:

The Supreme Court found Atty. Almacen guilty of gross misconduct and disrespect towards the Court and its members. It was determined that his actions far exceeded the permissible bounds of criticism, undermining the administration of justice and warranting disciplinary actions. Instead of disbarment, the Court opted for an indefinite suspension from the practice of law, leaving the door open for Almacen to demonstrate future fitness to resume legal practice.

Doctrine:

The disciplinary actions against members of the legal profession are neither solely civil nor criminal but are proceedings intended to preserve the integrity and purity of the legal

profession. Courts have the inherent power, under their duty to regulate the profession, to discipline or remove members whose actions have shown them to be unfit.

Class Notes:

- The Supreme Court has exclusive authority to admit, suspend, or disbar lawyers as part of its regulatory powers over the legal profession.
- Disciplinary actions against lawyers are not meant to punish but to ensure the integrity of the legal profession.
- Public utterances against the judiciary may lead to disciplinary actions if they exceed fair criticism and verge into disrespect or misconduct.
- The approach towards disciplining a member of the Bar is not automatically disbarment; lesser sanctions like suspension may be imposed if deemed sufficient to achieve the objective of disciplinary proceedings.

Historical Background:

Atty. Vicente Raul Almacen's case highlighted the limits of permissible criticism of the judiciary by members of the legal profession and underscored the Supreme Court's role in maintaining the integrity and respect due to the judiciary. This case occurred during a period where judicial decisions and the legal framework for disciplinary actions were being closely scrutinized, reflecting the evolving standards of legal ethics and professional conduct within the Philippine legal system.