Title:
Atty. Pedro L. Linsangan vs. Atty. F. George P. Lucero

Facts:
On April 2, 2007, Atty. F. George P. Lucero (respondent) obtained a loan of PHP 100,000.00 from Atty. Pedro L. Linsangan (complainant) and issued a post-dated check dated April 30, 2007 as repayment. When the loan became due, respondent avoided contact with complainant, prompting complainant to deposit the post-dated check. The check was dishonored due to a closed account, and complainant notified respondent on August 21, 2007. Despite the demand, respondent did not settle the obligation.

On February 23, 2014, complainant's son, Atty. Gerardo M. Linsangan, reiterated the notification to respondent's daughter. Respondent failed to respond within a reasonable time, leading the complainant to file a disbarment complaint on March 17, 2014 before the Integrated Bar of the Philippines (IBP).

Various orders were issued to respondent; nonetheless, proof of service remained elusive until February 28, 2022. Respondent failed to file a position paper, and the case was submitted for resolution on March 1, 2022.

Issues:
1. Whether respondent's issuance of a bouncing check constitutes gross misconduct.
2. Whether respondent's failure to comply with IBP orders violates the Code of Professional Responsibility (CPR).

Court's Decision:
Gross Misconduct & Issuance of a Bouncing Check:
– The Supreme Court upheld that issuing a worthless check is gross misconduct under Section 27, Rule 138 of the Rules of Court. Such actions show a disregard for the law and ethical standards required of a lawyer. It violates Canon 1, Rule 1.01 (prohibition of unlawful conduct) and Canon 7, Rule 7.03 (conduct reflecting poorly on fitness to practice law) of the CPR.

Failure to Comply with IBP Orders:
– Respondent disregarded orders to submit a position paper, constituting a violation of Canon 11 (respect for the courts) and Canon 12, Rule 12.04 (duty to avoid delays) of the CPR. This misconduct hindered the resolution of the case and demonstrated disrespect toward judicial procedures.

Penalty:
– Considering similar precedents, respondent Atty. F. George P. Lucero was suspended from the practice of law for one (1) year and fined PHP 5,000.00 for his negligence and misconduct. A stern warning was issued regarding more severe consequences for future offenses.

Doctrine:
– **Canon 1, Rule 1.01 of CPR:** A lawyer must not engage in unlawful, dishonest, immoral, or deceitful conduct.
– **Canon 7, Rule 7.03 of CPR:** A lawyer must not engage in conduct that adversely reflects on his fitness to practice law.
– **Canon 11:** A lawyer shall maintain respect for the courts and insist on similar conduct by others.
– **Canon 12, Rule 12.04 of CPR:** A lawyer must avoid undue delays and misuse of court processes.

Class Notes:
Key Elements:
– Gross Misconduct: Deliberate failure to settle financial obligations and issuance of a dishonored check.
– Violation of Lawyer's Oath: Acts inconsistent with the fiduciary duties and ethical standards imposed on lawyers.
– Procedural Non-compliance: Failure to submit documents or comply with institutional directives can incur sanctions.

Statutory References:
– **Section 27, Rule 138 of the Rules of Court:** Grounds for disbarment or suspension of attorneys.
– **Batas Pambansa Blg. 22:** Penalizing issuance of checks without sufficient funds.

Historical Background:
The case context highlights the judiciary's ongoing effort to uphold ethical standards and integrity within the legal profession in the Philippines. Lawyers are held to strict adherence to both legal and moral standards. This case serves as an example of maintaining these standards through disciplinary measures, reinforcing public trust in the legal system. The misuse of financial instruments and failure to respect procedural directives are consistently sanctioned to preserve the profession's credibility and orderly administration of justice.