

****Title**:** Enrique Javier de Zuzuarregui vs. Anthony de Zuzuarregui

****Facts**:**

On October 2, 2013, Enrique Javier de Zuzuarregui filed a complaint against his nephew, Anthony de Zuzuarregui, who was a bar examinee for the 2013 Bar Examinations, before the Office of the Bar Confidant (OBC). Anthony was facing several criminal charges, including estafa and falsification of public documents. Anthony disclosed these charges in his Petition to Take the 2013 Bar Examinations.

The Supreme Court allowed Anthony to take the bar exams provisionally, stipulating that he could not take the Lawyer's Oath until cleared of all charges. Anthony passed the exams and filed a Verified Petition to Take the Lawyer's Oath, claiming the criminal cases had been dismissed. He furnished various certifications of good moral character as evidence of his fitness to be a lawyer.

The Court required Anthony to explain the nondisclosure of Criminal Case No. XV-INV-13G-06821. Anthony claimed unawareness of this case during his application and received a subpoena after filing his petition. Upon submission of relevant documents, including the order of dismissal for the mentioned case, the Court held his petition in abeyance due to other pending charges.

After the dismissal of additional charges, Anthony, in October 2018, filed a Verified Second Motion, informing the Court of the dismissals and expressing concerns about potential new harassing complaints by Enrique. The OBC recommended Anthony be allowed to take the Lawyer's Oath, stating attestations of his moral character were credible.

Despite the scheduled oath-taking on January 20, 2020, Enrique contested the decision, citing ten new pending charges against Anthony. The Court then required further actions to investigate these claims.

****Issues**:**

1. Whether Anthony de Zuzuarregui possesses the good moral character required for admission to the bar.
2. Whether the pending criminal charges, at various times, filed by Enrique Javier de Zuzuarregui interfere with Anthony de Zuzuarregui's eligibility to take the Lawyer's Oath and sign the Roll of Attorneys.

3. The impact of the timing and nature of Enrique's complaints on the Court's decision regarding Anthony's bar admission.

Court's Decision:

1. **Good Moral Character:**

- The Court affirmed that Anthony had demonstrated sufficient evidence of good moral character through various certifications and the dismissal of multiple charges against him.
- The Court noted that it found no intrinsic delinquency in Anthony's character.

2. **Pending Criminal Charges:**

- The Court observed that except for one recent charge, all other allegations against Anthony had been dismissed.
- It found the timing of complaints suspicious and believed they were intended to prevent Anthony from completing his bar admission requirements.

3. **Impact of Enrique's Complaints:**

- The Court determined that the successive complaints appeared as harassment tactics and thus warned Enrique and his counsel against filing further frivolous suits under pain of contempt.
- Recognizing Anthony's intellectual and moral qualifications, the Court allowed him to take the Lawyer's Oath and sign the Roll of Attorneys.

Doctrine:

Sections 2 of Rule 138 of the Rules of Court stipulate the requirements for bar admission, emphasizing good moral character and the absence of charges involving moral turpitude. This case reiterates that unjustly hindering one's admission to the bar through frivolous complaints is impermissible.

Class Notes:

- **Good Moral Character Requirement (Rule 138, Sec. 2):** Evidence of a person's reputation, shown through certifications from reputable sources, is crucial in bar admissions.
- **Pending Criminal Charges:** Charges involving moral turpitude must be resolved before bar admission.
- **Frivolous Complaints:** Repeated unfounded complaints aimed at obstructing a legal

process can be deemed harassment, warranting warnings and potential contempt.

****Historical Background**:**

Historically, the Philippine Supreme Court enforces strict bars on moral conduct requirements for aspiring lawyers, balancing academic qualification with moral integrity. This ensures that individuals entering the profession maintain ethical standards, reflecting the legal profession's prestige and responsibility toward society. This case exemplifies the judiciary's vigilance against abuse of the complaint process to unjustly impede candidates' progression into the legal field.