

Title: Rogelio Pasamonte vs. Atty. Liberato Teneza, Administrative Complaint for Disbarment

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Facts

1. **Relationship Background:**

- Rogelio Pasamonte (complainant) and Atty. Liberato Teneza (respondent) have known each other for at least 25 years. Teneza handled Pasamonte's ejection cases and was the godparent of one of Pasamonte's children.

2. **Incident at Teneza's House - June 9, 2006:**

- Pasamonte was surprised to find out that Teneza had planned and arranged his wedding to Mary Grace dela Roca. Despite being already married, a fact known to Teneza, Pasamonte was assured that the marriage would not be registered, forcing him to consent reluctantly.

3. **Charges Filed - Subsequent Events:**

- Mary Grace, with Teneza's assistance, filed a case against Pasamonte for bigamy and violation of Republic Act No. 9262 (Anti-Violence Against Women and Their Children Act of 2004). Pasamonte then discovered that Teneza was himself involved in a bigamous marriage and meddled in multiple marriages in the Local Civil Registry.

4. **Filing of Complaints:**

- Pasamonte filed a bigamy case against Teneza. Further, Teneza was found to have acted as a sponsor in other bigamous marriages.

5. **Proceedings Before the IBP-CBD:**

- The Integrated Bar of the Philippines Commission on Bar Discipline (IBP-CBD) directed Teneza to answer the complaint. Teneza denied violating the lawyer-client relationship and denied registering Pasamonte's supposed second marriage.

- The IBP-CBD held mandatory conferences, followed by submission of position papers by both parties.

6. **IBP-CBD Findings and Recommendations:**

- On September 8, 2009, the IBP-CBD recommended a two-year suspension for Teneza, subsequently modified to five years by the IBP Board of Governors on May 14, 2011.

7. **Resolution of the IBP Board of Governors - March 21, 2014:**

- Reconsideration was denied, and Teneza was found guilty of gross immorality, leading to the recommendation for his disbarment, considering his consistent involvement in bigamous activities and lack of integrity.

8. **Transmission to the Supreme Court:**

- The case was brought to the Supreme Court for final review.

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Issues

1. **Gross Immorality:**

- Whether Atty. Liberato Teneza should be disbarred due to gross immorality, specifically engaging in and consenting to bigamous marriages.

2. **Lawyer-Client Relationship Violation:**

- Whether Teneza breached his professional duty by assisting with a case against his former client using information obtained during prior legal representation.

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Court's Decision

Disbarment Due to Gross Immorality

1. **Good Moral Character as a Continuing Requirement:**

- The Court emphasized that good moral character is mandatory for both the admission and continuance in the practice of law per Canon 1, Rule 1.01 and Canon 7, Rule 7.03 of the Code of Professional Responsibility (CPR).

2. **First Marriage and Subsequent Bigamous Marriage:**

- The Court established that Teneza's first marriage was valid and subsisting when he entered into a second marriage. This act demonstrated blatant disregard for the law, statutory norms, and professional ethics.

3. **Complicity in Bigamous Marriages:**

- Beyond his personal acts, Teneza facilitated other bigamous marriages, violating his oath as a lawyer and contributing to defiance of the legal system.

4. **No Sufficient Remorse:**

- Teneza did not show genuine remorse. His attempts at justification were unacceptable given the ethical standards of the legal profession.

5. **Decisive Supreme Court Action:**

- The Court reinforced the IBP's recommendation and ordered Teneza's disbarment, striking his name from the Roll of Attorneys. This decision was underscored by the need to uphold the integrity of the legal profession and the sanctity of marriage.

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Doctrines

Professional Responsibility and Morality:

- **Compliance with Ethical Norms:** Lawyers must uphold the highest moral standards per Canon 1, Rule 1.01, and Canon 7, Rule 7.03 of the CPR. Any conduct contrary to these standards, especially acts of gross immorality, justifies disbarment.

Judicial Authority and Continuing Requirement of Good Moral Character:

- **Secular Standards:** The Court measures gross immorality by secular, not religious, standards. Deviation from lawful and ethical conduct, especially actions that severely undermine public trust in the justice system, mandates severe penalties.

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Class Notes

1. **Key Elements of Professional Misconduct:**

- Unlawful, deceitful, immoral conduct undermines public trust.
- Violations include engaging in bigamy, perjury, and unethical behavior affecting public confidence in legal practitioners.

2. **Statutory Provisions Relevant to the Case:**

- **Canon 1, Rule 1.01 CPR:** Prohibits unlawful, dishonest, immoral, or deceitful conduct.
- **Canon 7, Rule 7.03 CPR:** Prohibits conduct adversely reflecting on a lawyer's fitness to practice law.
- **Article 349 of the Revised Penal Code:** Defines the crime of bigamy.

3. **Application:**

- The case exemplifies the severe ramifications for lawyers failing to uphold professional

and moral standards.

- Disbarment serves as a deterrent and maintains the legal profession's integrity.

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Historical Background

****Legal Profession's Ethical Standards in the Philippines:****

- The case reflects the enduring principle that lawyers, as officers of the court, must exhibit unwavering commitment to ethical practices. The integration of the legal profession into the fabric of societal ethics is rooted in historical efforts to enhance the judiciary's reputation.

****Impact of Landmark Decisions:****

- The decision reiterates the judiciary's stance on moral conduct, resonating with historical precedents where the court has emphasized the importance of ethical practices and good moral character, both in and out of the courtroom.