

****Title: Enrico R. Velasco vs. Atty. Berteni C. Causing****

****Facts:****

1. Enrico Velasco filed Civil Case No. 10536 for the nullity of his marriage with Nina Ricci Narvaez Laudato at the Regional Trial Court, Balanga City, Bataan.
2. Atty. Berteni C. Causing, counsel for Laudato, sent a message to Velasco's son on Facebook on April 7, 2016, that included a link to a Facebook post titled "Wise Polygamous Husband?" containing derogatory remarks about Velasco and the nullity case.
3. Atty. Causing shared the post on several platforms, generating negative reactions toward Velasco.
4. Velasco filed a complaint-affidavit for disbarment against Atty. Causing with the Integrated Bar of the Philippines (IBP) alleging violations of the Code of Professional Responsibility (CPR).

****Procedural Posture:****

1. The IBP's Investigating Commissioner found Atty. Causing breached the CPR and recommended a one-year suspension.
2. The IBP Board of Governors extended the suspension to two years, which Atty. Causing appealed.
3. The Supreme Court reviewed the findings and Atty. Causing's defenses, adopting the findings but modifying the penalty.

****Issues:****

1. Whether Atty. Causing violated the CPR by publishing confidential information and derogatory remarks about Velasco?
2. Whether Atty. Causing's defenses under freedom of expression as a "journalist-blogger" and his role as "spokesman-lawyer" absolved him of liability?

****Court's Decision:****

1. The Court held that Atty. Causing breached Section 12 of Republic Act No. 8369 (Family Courts Act of 1997) and various provisions of the CPR by disclosing confidential information and making improper public statements.
2. The defense of acting as a "journalist-blogger" or "spokesman-lawyer" was rejected. The Court underscored that a lawyer's ethical obligations do not change with the context of their statements, regardless of their professed role at the time.
3. The Supreme Court suspended Atty. Causing from the practice of law for one year, modifying the IBP's recommended two-year suspension.

****Doctrine:****

1. ****Confidentiality of Family Court proceedings:**** Section 12 of RA 8369 mandates all records of family court cases be treated with utmost confidentiality.
2. ****Lawyer's Ethical Obligations:**** CANON 1, Rule 8.01, CANON 13, Rule 13.02, and CANON 19, Rule 19.01 of the CPR require lawyers to uphold respect for the law, avoid improper statements, and employ fair means in client representation.

****Class Notes:****

1. ****Section 12, RA 8369:**** Protects family dignity by ensuring case confidentiality unless otherwise authorized by a judge.
2. ****CANON 1, CPR:**** A lawyer must uphold the Constitution and promote respect for legal processes.
3. ****Rule 8.01, CPR:**** Prohibits lawyers from using offensive or improper language.
4. ****CANON 13, CPR:**** Requires reliance on merit without resorting to improprieties.
5. ****Rule 19.01, CPR:**** Mandates employing fair and honest means, prohibiting public statements arousing public opinion on pending cases.
6. ****Freedom of Expression Limits:**** As interpreted in *Belo-Henares v. Guevarra*, freedom of speech does not permit broadcasting falsehoods or defamatory statements.

****Historical Background:****

This case sheds light on the evolving legal concerns around attorneys' conduct on social media and the balance between professional responsibilities and personal freedoms. The decision underscores the critical need for maintaining confidentiality in sensitive family court proceedings, reinforcing the ethical standards expected of legal practitioners in the digital age.