

****Title:** Fernandez, Ongtengco, Bartolome, and St. Luke's Medical Center v. Attorney Benjamin M. Grecia******

****Facts:****

This disbarment case revolves around the misconduct of Attorney Benjamin M. Grecia. Initially, on August 20, 1991, Doctors Alberto Fernandez, Isabelo Ongtengco, Achilles Bartolome, and St. Luke's Medical Center filed a complaint against Grecia, alleging dishonesty and grave misconduct. The central accusation was the theft of essential pages from a medical chart which was relevant evidence in a damage suit Grecia had filed for his clients against the doctors and St. Luke's.

The medical case involved Fe Linda Aves, who, while seven months pregnant, was admitted to St. Luke's on December 20, 1990, for dizziness, hypertension, and abdominal pain. Diagnosed with mild pre-eclampsia, she was discharged on December 25 but readmitted the next day. She and her unborn child died on December 27. Her husband, Attorney Damaso B. Aves, later filed an action for damages against the attending physicians and the hospital, represented by Grecia.

On July 4, 1991, St. Luke's produced Aves' medical records in court, which were entrusted to Acting Branch Clerk of Court Avelina Robles. On July 16, 1991, Grecia surreptitiously tore out two pages from Aves' medical records while reviewing them and passed the crumpled pages to a man presumed to be his driver. This act was witnessed by Robles and clerk Maria Arnet Sandico, who then reported the incident to Judge Teresita Dizon-Capulong. Confronted in the judge's chambers, the unidentified man reluctantly produced the stolen pages.

Grecia denied the theft and claimed that the allegations against him were fabricated to discredit him. He alleged that he had no driver and that a rival attorney, Bu Castro, was responsible for the theft. Nonetheless, the testimonies of Robles, Sandico, and police investigator PO3 Arnold Alabastro led to the recommendation for disciplinary action.

****Issues:****

1. Whether Attorney Benjamin M. Grecia committed misconduct by stealing pages from a medical chart.
2. Whether Grecia's actions constituted a violation of the Rules of Professional Responsibility.
3. Whether Grecia should face disbarment as a result of this incident.

Court's Decision:

Issue 1: The Court found sufficient evidence that Grecia stole the pages in question. The reliable and consistent testimonies of Robles and Sandico debunked Grecia's claims and provided direct evidence of his misconduct.

Issue 2: The Court held that Grecia's actions violated Rule 1.01 of Canon 1 and Canon 7 of the Code of Professional Responsibility. These canons prohibit unlawful, dishonest, immoral, and deceitful conduct and mandate upholding the integrity and dignity of the legal profession.

Issue 3: Considering Grecia's blatant misconduct and his prior disbarment in 1987 for unethical behavior, the Court ruled that Grecia was unfit to practice law. His theft and subsequent dishonesty demonstrated severe moral deficiencies incompatible with the ethical standards of the legal profession.

Doctrine:

The Court reiterated essential standards from the Rules of Professional Responsibility:

- Rule 1.01, Canon 1: A lawyer must not engage in unlawful, dishonest, immoral, or deceitful conduct.
- Canon 7: A lawyer must uphold the integrity and dignity of the profession at all times.

The decision underscores that attorneys must maintain high moral standards and integrity, both within their professional and private capacities, as they serve as officers of the court charged with advancing the ends of justice.

Class Notes:

- **Rule 1.01, Canon 1:** Prohibits dishonest, immoral, unlawful, and deceitful actions. It implies absolute integrity in both private and professional conduct.
- **Canon 7:** Advocates for maintaining the dignity and integrity of the legal profession consistently.
- **Disbarment:** A severe penalty where an attorney's name is stripped from the Roll of Attorneys, effectively banning them from legal practice due to breaches in ethical and moral conduct.
- **Credibility of Witness Testimony:** The consistent and clear testimonies of non-partisan witnesses can decisively influence court verdicts.

Historical Background:

The case happened within a broader judicial context where legal ethics and professional

responsibility were increasingly emphasized. Earlier precedents, including the same respondent's past misconduct, highlighted the judiciary's intent on upholding high standards for legal practitioners. The recurrent misconduct of Grecia further emphasized the necessity for stringent enforcement of ethical rules within the Philippine Bar.