

Title: Maelotisea S. Garrido vs. Attys. Angel E. Garrido and Romana P. Valencia, A.C. No. 4921, March 6, 2003

Facts:

1. Maelotisea S. Garrido married Atty. Angel E. Garrido on June 23, 1962, and had six children.
2. In May 1991, one of Maelotisea's daughters heard a claim that another child was fathered by Angel E. Garrido; further inquiries revealed a relationship with Atty. Romana P. Valencia and their child Angeli Ramona Valencia Garrido.
3. Maelotisea discovered that Angel married Rosana in Hong Kong in 1978 while still married to her.
4. Angel left the conjugal home in June 1993 to live with Romana, ceasing financial support to Maelotisea and their children.
5. Maelotisea filed a complaint-affidavit for disbarment against Angel and Romana, citing gross immorality.
6. Angel claimed in his defense that his marriage to Maelotisea was void as he was already married to Constanca David when he married Maelotisea.
7. Romana denied being a mistress, asserting Maelotisea's marriage to Angel was void.
8. Angel also filed for the nullity of his marriage to Maelotisea.
9. Various motions, including to suspend proceedings due to related criminal cases, were denied by the IBP.

Procedural Posture:

1. Maelotisea filed her complaint before the Integrated Bar of the Philippines (IBP), and the hearing ensued.
2. Respondents' motions to suspend proceedings or dismiss the complaint were denied by the IBP.
3. The IBP Investigating Commissioner recommended disbarment for Angel and dismissal of the charges against Romana.
4. Angel requested reconsideration of the IBP Resolution, which the IBP Board of Governors denied.
5. Angel then petitioned for review with the Supreme Court, arguing that his actions did not warrant disbarment and that the charges prescribed.

Issues:

1. Whether Atty. Angel E. Garrido exhibited gross immorality sufficient to warrant disbarment.

2. Whether Atty. Romana P. Valencia's conduct met the threshold for gross immorality necessitating disbarment.
3. Whether the time elapsed affected the qualification of Atty. Garrido for continued practice.
4. Application of doctrines related to attorney behavior and disbarment.

Court's Decision:

Issue 1: Court held that Atty. Angel E. Garrido's multiple marriages and deceitful behavior constituted gross immorality. Evidence showed Angel left Constancia, lied to Maelotisea about his marital status, married Maelotisea while still married to Constancia, and later maintained relationships with two women simultaneously.

Issue 2: Court found Atty. Romana P. Valencia's actions of marrying Atty. Garrido while knowing his marriage status constituted gross immorality. Even before becoming a lawyer, her continued relationship with Angel when aware of his marital situation demonstrated a serious lack of moral character.

Issue 3: Court ruled that the passage of time did not negate the misconduct that constituted moral unfitness for Atty. Garrido's continued membership in the Bar.

Doctrine:

1. Good moral character is a continuing requirement for lawyers, not only at the time of bar admission but throughout their legal practice (*Zaguirre v. Castillo*).
2. Acts of gross immorality before bar admission can still serve as grounds for later disbarment.
3. Disbarment proceedings address public interest and the integrity of the legal profession, outweighed by complainants withdrawal or time elapsed since the acts.

Class Notes:

- Elements of Good Moral Character: Honesty, Integrity, Respect for law, Ethical behavior.
- Essential Provisions: Art. VIII, Sec. 5(5) Constitution; Section 27, Rule 138 Rules of Court.
- Legal Standards: Canon 7, Rule 1.01, Rule 7.03 of the Code of Professional Responsibility.
- Key Applications: Historical demeanor and present fitness of an attorney, continued adherence to laws, moral conduct influence on the legal profession.

Historical Background:

This case occurred amidst the evolving interpretation of moral fitness in the legal profession within Philippine jurisprudence. The legal profession's integrity and public perception were

at stake, demanding stringent oversight on both professional and personal conduct of attorneys. This case reaffirmed that regardless of the time elapsed, gross immorality could still lead to severe penalties like disbarment to protect the profession and public trust.