

****Title: Engracia Cantorne v. Eugenio Ducusin (57 Phil. 23)****

****Facts:****

Engracia Cantorne initiated a disbarment proceeding against attorney Eugenio Ducusin. Cantorne initially filed her complaint with the office of the City Fiscal of Manila. On November 24, 1926, the City Fiscal forwarded the complainant's statement to the Chief Justice of the Supreme Court. This statement was corroborated by the affidavit of Valentina Dajuela and the statement of Attorney Fernando C. Villarosa, who was a law clerk in the said office at the time.

Ducusin, as the defense attorney for Petrona Basmayor, was accused of unethical conduct. The charges specifically pointed out that while representing Basmayor, who was accused of a crime by Cantorne, Ducusin deceitfully attempted to also represent and manipulate Cantorne into believing he was assisting her by negotiating a payment from Basmayor for a lost shawl.

Further, Ducusin obstructed justice by advising Cantorne not to appear at the trial, leading to the possible dismissal of the case against his client due to the non-appearance of the complainant. He pretended to assist Cantorne, causing her to spend money entertaining him at her house, all while he betraying her trust by covertly working against her interests.

After a series of procedural actions, including an investigation and report by the Attorney-General, the respondent filed his response. On July 23, 1932, the matter was heard by the Supreme Court in banc and subsequently submitted for a decision.

****Issues:****

1. Whether attorney Eugenio Ducusin's conduct constituted malpractice.
2. Whether Ducusin's actions amounted to an obstruction of the administration of justice.
3. Whether the evidence presented warranted Ducusin's suspension or disbarment.

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

1. ****Malpractice****:

The court found that Eugenio Ducusin's conduct clearly amounted to malpractice. By representing both the complainant (Cantorne) and the defendant (Basmayor) simultaneously, Ducusin engaged in a conflict of interest, which is against the ethical standards of the legal profession. The court cited that this dual representation and the deceit he practiced on Cantorne constituted malpractice that must be heavily condemned.

2. **Obstruction of Justice**:

Ducusin's actions went beyond a mere breach of professional ethics. The court determined that by instructing Cantorne not to appear at the hearing, leading to a potential dismissal of the case for lack of prosecution, Ducusin was obstructing justice. His actions demonstrated willful and flagrant violations of his professional obligations and were intended to frustrate the course of justice.

3. **Disciplinary Actions**:

Referring to precedents, the court emphasized the seriousness of Ducusin's violations. Both the cases "In re Hamilton" and "In re Soriano" were cited, highlighting that Ducusin's actions warranted significant disciplinary measures. The evidence conclusively showed that he violated his obligations to the court and to his client Cantorne while undermining the administration of justice. As a result, the court determined that a severe penalty was justified and suspended Eugenio Ducusin from the practice of law for two years.

Doctrine:

1. **Obligation to Clients and Court**:

Attorneys have dual obligations—to their clients and the courts. These must be honored and maintained to uphold legal and ethical standards in the profession.

2. **Conflict of Interest**:

Engaging in the representation of conflicting interests is prohibited and constitutes malpractice.

3. **Obstruction of Justice**:

Any action taken by an attorney that obstructs, perverts, or impedes the administration of justice can result in suspension or disbarment.

Class Notes:

- **Conflict of Interest**: An attorney must avoid representing clients with conflicting interests.

- **Legal and Ethical Standards**: Attorneys must maintain integrity and adhere to ethical standards to uphold justice.

- **Obstruction of Justice**: Direct actions to impede the fairness of judicial proceedings are severely punishable.

- **Professional Obligations**: Lawyers have statutory and ethical obligations under the Standards of Professional Responsibility and must uphold these diligently.

****Relevant Legal Statutes:****

- The Code of Professional Responsibility: Canon on Conflict of Interest.
- Rules on the Suspension and Disbarment of Attorneys.

****Historical Background:****

During the early 20th century Philippine jurisprudence, legal ethics and attorney conduct were rigorously enforced to establish a strong foundation for the rule of law. This case reflects the judiciary's commitment to maintaining high standards of professional ethics within the legal fraternity, emphasizing the rule of law and the critical role of attorneys in upholding justice and public trust in the legal system.