

****Title:**** Bunagan-Bansig vs. Celera (Disbarment Proceeding)

****Facts:****

1. ****Background of Complaint:****

- Complainant, Rose Bunagan-Bansig, filed a petition for disbarment against Atty. Rogelio Juan A. Celera for gross immoral conduct, claiming that he contracted a second marriage while still legally married to Gracemarie R. Bunagan, her sister.
- The first marriage between Celera and Bunagan took place on May 8, 1997. The second marriage with Ma. Cielo Paz Torres Alba occurred on January 8, 1998.

2. ****Filing and Initial Response:****

- On February 18, 2002, the Supreme Court called for Celera to submit a comment regarding the complaint, which he failed to do.
- Consequent orders were issued to compel Celera to respond or face contempt charges.

3. ****Celera's Arguments and Tactics:****

- Celera used various tactics to delay the proceedings, claiming ignorance of the nature of the complaint and alleging that the complainant did not properly notify him.
- He argued that the complaint was retaliation for a criminal case he had filed against the complainant and her husband.

4. ****Court's Persistent Attempts:****

- The Supreme Court repeatedly issued resolutions to remind Celera to comment on the complaint.
- Several directives for proper service of the complaint to Celera were recorded, and despite proof of service, Celera maintained non-compliance.

5. ****Integrated Bar's Involvement:****

- The case was eventually referred to the Integrated Bar of the Philippines (IBP) for investigation.
- Celera was unresponsive to notices from the IBP, which led to him being declared in default.

****Issues:****

1. Whether Atty. Rogelio Juan A. Celera committed grossly immoral conduct by engaging in bigamy.

2. Whether Celera's repeated failure to heed court resolutions and respond to the complaint constituted willful disobedience.

Court's Decision:

1. **Immorality and Bigamy:**

- The Court found clear, convincing evidence that Celera committed bigamy, given the certified copies of two marriage certificates.
- Such actions were found as gross immoral conduct unbecoming of a member of the Bar.

2. **Willful Disobedience:**

- Celera's continuous defiance towards the judicial process and court orders, despite numerous efforts to reach him, showed disrespect to the legal system.
- Not addressing the complaint over an extended period reflected gross misconduct.

3. **Sanctions:**

- Celera was ordered disbarred from the practice of law and his name stricken from the Roll of Attorneys.
- The decision emphasized the importance of adhering to lawful orders and maintaining the integrity of the legal profession.

Doctrine:

- A lawyer must uphold moral standards both in personal and professional life. Engaging in bigamous relationships and disrespecting court processes constitute grounds for disbarment (Rule 1.01, Canon 7 of the Code of Professional Responsibility).
- A lawyer's willful non-compliance with court orders is a separate, valid cause for disciplinary action, including suspension or disbarment (Section 27, Rule 138 of the Rules of Court).

Class Notes:

- **Gross Immoral Conduct:** Contracting a second marriage while a first is still validly subsisting demonstrates moral unfitness to practice law.
- **Compliance with Court Orders:** Repeated non-compliance with court resolutions can be cause for disciplinary action, emphasizing respect and obligation towards judicial processes.
- **Relevant Provisions:**

- Rule 1.01 and 7.03 (Code of Professional Responsibility)
- Section 27, Rule 138 (Rules of Court)

****Historical Background:****

- This case reflects societal and cultural emphasis on the sanctity of marriage and moral conduct expected of legal professionals in the Philippines.
- It also underscores the importance of maintaining the dignity and integrity of the legal profession during periods where multiple charges of immorality were highlighted in various sectors.