

Title: Ng vs. Alar, A.C. No. 5921

Facts:

Johnny Ng filed a verified disbarment complaint on February 15, 2005, against Atty. Benjamin C. Alar before the Integrated Bar of the Philippines (IBP), Commission on Bar Discipline (CBD), for professional misconduct. Ng was involved in a labor dispute (NLRC NCR CA No. 040273-04) with the National Labor Relations Commission (NLRC), and Alar represented the opposing party as counsel. The Labor Arbiter dismissed the original complaint, with the NLRC affirming that decision. Dissatisfied, Alar filed a Motion for Reconsideration with Motion to Inhibit (MRMI), which contained aggressive language implicating incompetence or corruption at the NLRC.

In his defense, Alar argued that the Rules of Court/Code of Professional Responsibility are only supplementary for NLRC matters and do not apply because the NLRC is not a court, and its commissioners are not judges. He further justified his language as “righteous anger” due to alleged collusion and corruption by decision-makers.

In response, Ng’s lawyers, Attys. Paras and Cruz, filed a counter-complaint citing ethics violations by Alar. They emphasized that their separate legal actions, including an order to demolish a tent outside their client’s property, were unrelated to the labor case and denied any involvement in Ng’s business tax compliance issues or orchestrating the disbarment complaint.

The IBP’s Investigating Commissioner supported the claim of misconduct against Alar due to inappropriate language and sanctions, recommending a three-month suspension. However, he found no grounds in Ng’s counter-complaint against Paras and Cruz. The IBP Board of Governors modified the recommendation, imposing a reprimand with a stern warning.

Issues:

1. Whether Atty. Alar’s conduct, especially his use of scornful language in legal pleadings, constituted a breach of the Code of Professional Responsibility.
2. The applicability of the Code of Professional Responsibility to cases and actions filed with quasi-judicial bodies like the NLRC.
3. Whether the counter-complaint against Attys. Paras and Cruz for ethical violations held merit.

Court’s Decision:

1. The Supreme Court found Atty. Alar guilty of breach of Canons 8 and 11 of the Code of Professional Responsibility for the derogatory and improper language directed against NLRC commissioners. The court reinforced that lawyers, even when representing clients before quasi-judicial bodies, are still bound by ethical rules demanding propriety and respect.

2. The court clarified that irrespective of the forum, members of the Bar are expected to act with professionalism. Thus, the assertion that the NLRC differs from traditional courts does not absolve a lawyer from maintaining decorum and courtesy outlined by the Code.

3. On the matter of the counter-complaint, the court upheld the IBP's decision dismissing it against Attys. Paras and Cruz for lack of actionable evidence and merit. Their parallel legal actions were distinct and permissible within the bounds of law.

The court imposed a fine of PHP 5,000 on Alar as a disciplinary action, asserting that repeat offenses would result in more severe consequences.

Doctrine:

The case underscores the continuous, overarching duty of Filipino lawyers to observe courtesy and professionalism in all legal forums (Canon 8 and 11 of the Code of Professional Responsibility), irrespective of whether the forum is judicial or quasi-judicial.

Class Notes:

- Key Elements: Professionalism, Quasi-Judicial Proceedings, Ethical Conduct.
- Canon 8 of the Code of Professional Responsibility: Mandates courtesy, fairness, and avoidance of harassment in professional dealings.
- Canon 11 of the Code of Professional Responsibility: Emphasizes respect for courts and judicial officers.
- Emphasis: Even high-pressure legal environments like labor disputes don't justify unprofessional conduct.

Historical Background:

During the early 2000s, the Philippines was grappling with substantial labor unrest and corruption allegations across various quasi-judicial institutions, including the NLRC. This case reflects broader concerns over legal ethics and conduct amidst perceptions of impropriety or inefficiency within labor dispute resolutions, occurring within broader national legal reforms aiming to enhance integrity and trust within the legal and labor sectors.