

**\*\*Title:\*\*** Editha M. Francia v. Atty. Quirino Sagario – Suspension of Lawyer for Misconduct

**\*\*Facts:\*\***

In 2009, Editha M. Francia engaged the services of Atty. Quirino Sagario to pursue an annulment of her marriage with Jose Francia. An agreement was reached for legal services in exchange for a total fee of PHP 70,000. Francia made an initial payment of PHP 30,000 on December 14, 2009, followed by PHP 20,000 on January 20, 2010, each time receiving an acknowledgment receipt. On February 6, 2010, she paid an additional PHP 7,000, purportedly for filing fees and sheriff expenses, for which no receipt was issued.

After receiving PHP 57,000, Atty. Sagario became evasive, avoiding calls and only communicating through text messages, while neglecting to file the petition for annulment. Despite Francia's persistent demands for either the filing of the petition or the return of the paid fees, Atty. Sagario neither fulfilled his professional obligations nor returned the money.

Frustrated, Francia filed a small claims case against Atty. Sagario in the Metropolitan Trial Court (MeTC) of Quezon City, seeking a refund. Atty. Sagario did not attend any hearings despite proper notification. On October 19, 2010, the MeTC ruled in Francia's favor, ordering Atty. Sagario to return PHP 50,000 with interest.

With no restitution forthcoming, Francia brought the matter to the Integrated Bar of the Philippines (IBP) Commission on Bar Discipline.

**\*\*Issues:\*\***

1. Did Atty. Sagario violate the Code of Professional Responsibility by failing to file the annulment petition and neglecting his duties to his client, Editha M. Francia?
2. Was Atty. Sagario derelict in his fiduciary duties when he failed to return the client's money upon request?

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

The Supreme Court affirmed the findings and recommendations of the IBP, holding Atty. Sagario liable for professional misconduct. The Court agreed that he breached multiple canons of the Code of Professional Responsibility by:

- **\*\*Issue 1:\*\*** Neglecting a legal matter and failing to exercise the required diligence (Canon 18, Rule 18.03). Despite receiving funds, Atty. Sagario did not file the petition or take action on Francia's case, which is a clear violation of his professional duties.

- **Issue 2:** Failing to account for and return client funds upon demand, in violation of Canon 16 (Rules 16.01 and 16.03) and breaching the duty of fidelity to his client (Canon 17). His actions demonstrated a misuse of client trust and a lack of professional integrity.

As a result, the Court imposed a two-year suspension from the practice of law upon Atty. Sagario, with a strong warning against future misconduct.

**Doctrine:**

The case reiterates the importance of adherence to the Code of Professional Responsibility, particularly:

- **Canon 16:** Lawyers must hold client funds in trust and account for them properly.
- **Canon 17:** Lawyers owe fidelity to their client's cause and must honor the trust and confidence reposed in them.
- **Canon 18:** Lawyers are obliged to serve clients with competence and diligence, ensuring legal matters are attended to without unreasonable delay.

**Class Notes:**

- Client funds must be held in trust and properly accounted for.
- Failure to return client funds upon demand constitutes a severe breach of professional ethics.
- Neglect in handling client matters can result in administrative penalties, including suspension from the practice of law.

**Historical Background:**

The case provides insight into the judiciary's enforcement of ethical standards within the legal profession in the Philippines. It underscores the historical emphasis on maintaining public confidence in legal practitioners' integrity and trustworthiness, reflecting broader efforts to address issues of misconduct within the bar.

This decision aligned with the judiciary's ongoing campaign to ensure accountability among legal professionals, reinforcing trust in the legal system by holding errant lawyers answerable for violations of ethical standards.