

****Title:**** Segura vs. Garachico-Fabila

****Facts:****

In March 2008, Maria Erna A. Segura filed a complaint against her husband, Randy N. Segura, for violating Section 5(e)(2) and (4) of Republic Act No. 9262 (Anti-Violence Against Women and Their Children Act of 2004) at the Office of the City Prosecutor of Antipolo City. The complaint was dismissed on June 20, 2008. Dissatisfied, Erna filed another complaint against Randy with the Philippine National Police in San Jose, Antique, which was forwarded to the Office of the Provincial Prosecutor of Antique. In a resolution dated April 13, 2010, Prosecutor Marilou R. Garachico-Fabila found probable cause to file charges against Randy for violating Sec. 5(e)(2) of R.A. No. 9262.

Randy alleged that Prosecutor Fabila showed bias by investigating the case as early as May 2, 2009, before he was subpoenaed in March 2010, and by stating he didn't provide financial support to his family despite evidence to the contrary. Randy claimed this contravened the Lawyer's Oath and Canon 6.01 of the Code of Professional Responsibility, which emphasizes a lawyer's duty to see that justice is done.

Respondent Prosecutor Fabila explained that she issued a subpoena to Randy's address through Provincial Prosecutor Napoleon Abiera, who retired thereafter. Upon re-affle of the case to her, Prosecutor Fabila tried to locate Randy for effective service of the subpoena and addressed the second subpoena to his parents' address. She maintained that Randy was afforded due process, and found his evidence insufficient to prove financial support.

Upon submission of her comment, the case was referred to the Integrated Bar of the Philippines (IBP) for investigation. The Investigating Commissioner recommended dismissing the complaint, asserting that Prosecutor Fabila properly performed her duty.

On June 29, 2018, the IBP Board of Governors adopted the findings and recommendation of the Investigating Commissioner, thereby dismissing the complaint. No motion for reconsideration or petition for review followed.

****Issues:****

The primary legal issue was whether the Supreme Court has jurisdiction over administrative complaints against government lawyers relating to acts done in their official capacity—specifically, whether the acts of Prosecutor Fabila could subject her to discipline by the IBP, or if this falls under the jurisdiction of the Office of the Ombudsman.

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

The Supreme Court dismissed the administrative complaint against Associate Prosecution Attorney Marilou R. Garachico-Fabila for lack of jurisdiction. The Court emphasized that acts relating to Prosecutor Fabila's conduct of preliminary investigation and issuance of resolutions pertain to her administrative function as a public official. Thus, disciplinary authority lies with the Secretary of Justice or the Office of the Ombudsman, which have jurisdiction over alleged malfeasance or misfeasance by government officials performing their duties. The accountability of such officials should be differentiated from their accountability as members of the Philippine Bar, which the IBP would regulate.

****Doctrine:****

This case reinforces the doctrine that jurisdiction over government lawyers' conduct in their official capacity lies with the Office of the Ombudsman or their administrative superiors, not with the IBP. The accountability as government officials performing their duties is distinct from their role as members of the Philippine Bar.

****Class Notes:****

- R.A. No. 9262 specifically Sections 5(e)(2) and (4) pertains to acts of economic abuse by deprivation of financial support and control over a victim's economic resources.
- Jurisdiction over administrative complaints against government lawyers lies with their superior/Office of the Ombudsman, not the IBP when the conduct relates to official duties.
- Canon 6.01 of the Code of Professional Responsibility mandates the duty of fairness by lawyers in public prosecution to seek justice, not mere conviction.

****Historical Background:****

This case is set within the evolving legal framework following the promulgation of Republic Act No. 9262, which underscores the Philippines' commitment to addressing domestic violence issues through more comprehensive legal measures. It demonstrates the procedural complexities in carrying forward criminal charges under the said law and the efforts to delineate the powers and duties of various legal entities in handling disciplinary actions against public prosecutors—a reflection of the judiciary's effort to harmonize administrative jurisdiction with legal accountability.