

SALVACION DELIZO CORDOVA, COMPLAINANT, VS. ATTY. LAURENCE D. CORDOVA, RESPONDENT.

Adm. Case No. 3249. November 29, 1989

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PER CURIAM:

In an unsworn letter-complaint dated 14 April 1988 addressed to then Mr. Chief Justice Claudio Teehankee, complainant Salvacion Delizo charged her husband, Atty. Laurence D. Cordova, with immorality and acts unbecoming a member of the Bar. The letter-complaint was forwarded by the Court to the Integrated Bar of the Philippines, Commission on Bar Discipline ("Commission"), for investigation, report and recommendation.

The Commission, before acting on the complaint, required complainant to submit a verified complaint within ten (10) days from notice. Complainant complied and submitted to the Commission on 27 September 1988 a revised and verified version of her long and detailed complaint against her husband charging him with immorality and acts unbecoming a member of the Bar.

In an Order of the Commission dated 1 December 1988, respondent was declared in default for failure to file an answer to the complaint within fifteen (15) days from notice. The same Order required complainant to submit before the Commission her evidence ex parte, on 16 December 1988. Upon the telegraphic request of complainant for the resetting of the 16 December 1988 hearing, the Commission scheduled another hearing on 25 January 1989. The hearing scheduled for 25 January 1989 was rescheduled two (2) more times --- first, for 25 February 1989 and second, for 10 and 11 April 1989. The hearings never took place as complainant failed to appear. Respondent Cordova never moved to set aside the order of default, even though notices of the hearings scheduled were sent to him.

In a telegraphic message dated 6 April 1989, complainant informed the Commission that she and her husband had already "reconciled." In an order dated 17 April 1989, the Commission required the parties (respondent and complainant) to appear before it for confirmation and explanation of the telegraphic message and required them to file a formal motion to dismiss the complaint within fifteen (15) days from notice. Neither party responded and nothing was heard from either party since then.

Complainant having failed to submit her evidence ex parte before the Commission, the IBP Board of Governors submitted to this Court its report reprimanding respondent for his acts, admonishing him that any further acts of immorality in the future will be dealt with more severely, and ordering him to support his legitimate family as a responsible parent should.

The findings of the IBP Board of Governors may be summed up as follows:

Complainant and respondent Cordova were married on 6 June 1976 and out of this marriage, two (2) children were born. In 1985, the couple lived somewhere in Quirino Province. In that year, respondent Cordova left his family as well as his job as Branch Clerk of Court of the Regional Trial Court, Cabarroguis, Quirino Province, and went to Mangagoy, Bislig, Surigao del Sur with one Fely G. Holgado. Fely G. Holgado was herself married and left her own husband and children to stay with respondent. Respondent Cordova and Fely G. Holgado lived

together in Bislig as husband and wife, with respondent Cordova introducing Fely to the public as his wife, and Fely Holgado using the name Fely Cordova. Respondent Cordova gave Fely Holgado funds with which to establish a sari-sari store in the public market at Bislig, while at the same time failing to support his legitimate family.

On 6 April 1986, respondent Cordova and his complainant wife had an apparent reconciliation. Respondent promised that he would separate from Fely Holgado and brought his legitimate family to Bislig, Surigao del Sur. Respondent would, however, frequently come home from beerhouses or cabarets, drunk, and continued to neglect the support of his legitimate family. In February 1987, complainant found, upon returning from a trip to Manila necessitated by hospitalization of her daughter Loraine, that respondent Cordova was no longer living with her (complainant's) children in their conjugal home: that respondent Cordova was living with another mistress, one Luisita Magallanes, and had taken his younger daughter Melanie along with him. Respondent and his new mistress hid Melanie from the complainant, compelling complainant to go to court and to take back her daughter by habeas corpus. The Regional Trial Court, Bislig, gave her custody of their children.

Notwithstanding respondent's promises to reform, he continued to live with Luisita Magallanes as her husband and continued to fail to give support to his legitimate family.

Finally, the Commission received a telegram message apparently from complainant, stating that complainant and respondent had been reconciled with each other.

After a review of the record, we agree with the findings of fact of the IBP Board. We also agree that the most recent reconciliation between complainant and respondent, assuming the same to be real, does not excuse and wipe away the misconduct and immoral behaviour of the respondent carried out in public, and necessarily adversely reflecting upon him as a member of the Bar and upon the Philippine Bar itself. An applicant for admission to membership in the bar is required to show that he is possessed of good moral character. That requirement is not exhausted and dispensed with upon admission to membership of the bar. On the contrary, that requirement persists as a continuing condition for membership in the Bar in good standing.

In *Mortel v. Aspiras*,^[1] this Court, following the rule in the United States, held that "the continued possession x x x of a good moral character is a requisite condition for the rightful continuance in the practice of the law x x x and its loss requires suspension or disbarment, even though the statutes do not specify that as a ground for disbarment."^[2] It is important to note that the lack of moral character that we here refer to as essential is not limited to good moral character relating to the discharge of the duties and responsibilities of an attorney at law. The moral delinquency that affects the fitness of a member of the bar to continue as such includes conduct that outrages the generally accepted moral standards of the community, conduct for instance, which makes "a mockery at the inviolable social institution of marriage."^[3] In *Mortel*, the respondent being already married, wooed and won the heart of a single, 21-year old teacher who subsequently cohabited with him and bore him a son. Because respondent's conduct in *Mortel* was particularly morally repulsive, involving the marrying of his mistress to his own son and thereafter cohabiting with the wife of his own son after the marriage he had himself arranged, respondent was disbarred.

In *Royong v. Oblena*,^[4] the respondent was declared unfit to continue as a member of the bar by reason of his immoral conduct and accordingly disbarred. He was found to have engaged in sexual relations with the complainant who consequently bore him a son: and to have maintained for a number of years an adulterous relationship with another woman.

In the instant case, respondent Cordova maintained for about two (2) years an adulterous relationship with a married woman not his wife, in full view of the general public, to the humiliation and detriment of his legitimate

family which he, rubbing salt on the wound, failed or refused to support. After a brief period of "reform", respondent took up again with another woman not his wife, cohabiting with her, and bringing along his young daughter to live with them. Clearly, respondent flaunted his disregard of the fundamental institution of marriage and its elementary obligations before his own daughter and the community at large.

WHEREFORE, the Court Resolved to SUSPEND respondent from the practice of law indefinitely and until further orders from this Court. The Court will consider lifting his suspension when respondent Cordova submits proof satisfactory to the Commission and this Court that he has and continues to provide for the support of his legitimate family and that he has given up the immoral course of conduct that he has clung to.

Fernan, C.J., (Chairman), Narvasa, Gutierrez, Jr., Cruz, Paras, Feliciano, Gancayco, Padilla, Bidin, Sarmiento, Cortes, Griño-Aquino, Medialdea, and Regalado, JJ., concur.

Melencio-Herrera, J., on leave.

[1] 100 Phil. 586 (1956).

[2] 100 Phil. at 592.

[3] 100 Phil. at 593.

[4] 117 Phil. 865 (1963).

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