

RE: PETITION OF AL ARGOSINO TO TAKE THE LAWYER'S OATH

Bar Matter No. 712. March 19, 1997

Ponente: PADILLA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/94d8b2a8b53a/>

PADILLA, J.:

Petitioner Al Caparros Argosino passed the bar examinations held in 1993. The Court however deferred his oath-taking due to his previous conviction for Reckless Imprudence Resulting In Homicide.

The criminal case which resulted in petitioner's conviction, arose from the death of a neophyte during fraternity initiation rites sometime in September 1991. Petitioner and seven (7) other accused initially entered pleas of not guilty to homicide charges. The eight (8) accused later withdrew their initial pleas and upon re-arraignment all pleaded guilty to reckless imprudence resulting in homicide.

On the basis of such pleas, the trial court rendered judgment dated 11 February 1993 imposing on each of the accused a sentence of imprisonment of from two (2) years four (4) months and one (1) day to four (4) years.

On 18 June 1993, the trial court granted herein petitioner's application for probation.

On 11 April 1994, the trial court issued an order approving a report dated 6 April 1994 submitted by the Probation Officer recommending petitioner's discharge from probation

On 14 April 1994, petitioner filed before this Court a petition to be allowed to take the lawyer's oath based on the order of his discharge from probation.

On 13 July 1995, the Court through then Senior Associate Justice Florentino P. Feliciano issued a resolution requiring petitioner Al C. Argosino to submit to the Court evidence that he may now be regarded as complying with the requirement of good moral character imposed upon those seeking admission to the bar.

In compliance with the above resolution, petitioner submitted no less than fifteen (15) certifications/letters executed by among others two (2) senators, five (5) trial court judges, and six (6) members of religious orders. Petitioner likewise submitted evidence that a scholarship foundation had been established in honor of Raul Camaligan, the hazing victim, through joint efforts of the latter's family and the eight (8) accused in the criminal case.

On 26 September 1995, the Court required Atty Gilbert Camaligan, father of Raul, to comment on petitioner's prayer to be allowed to take the lawyer's oath.

In his comment dated 4 December 1995, Atty. Camaligan states that:

a. He still believes that the infliction of severe physical injuries which led to the death of his son was deliberate rather than accidental. The offense therefore was not only homicide but murder since the accused took advantage of the neophyte's helplessness implying abuse of confidence, taking advantage of superior strength and treachery.

b. He consented to the accused's plea of guilt to the lesser offense of reckless imprudence resulting in homicide only out of pity for the mothers of the accused and a pregnant wife of one of the accused who went to their house on Christmas day 1991 and Maundy Thursday 1992, literally on their knees, crying and begging for forgiveness and compassion. They also told him that the father of one of the accused had died of a heart attack upon learning of his son's involvement in the incident.

c. As a Christian, he has forgiven petitioner and his co-accused for the death of his son. However, as a loving father who had lost a son whom he had hoped would succeed him in his law practice, he still feels the pain of an untimely demise and the stigma of the gruesome manner of his death.

d. He is not in a position to say whether petitioner is now morally fit for admission to the bar. He therefore submits the matter to the sound discretion of the Court.

The practice of law is a privilege granted only to those who possess the strict intellectual and moral qualifications required of lawyers who are instruments in the effective and efficient administration of justice. It is the sworn duty of this Court not only to "weed out" lawyers who have become a disgrace to the noble profession of the law but, also of equal importance, to prevent "misfits" from taking the lawyer's oath, thereby further tarnishing the public image of lawyers which in recent years has undoubtedly become less than irreproachable.

The resolution of the issue before us required a weighing and re-weighing of the reasons for allowing or disallowing petitioner's admission to the practice of law. The senseless beatings inflicted upon Raul Camaligan constituted evident absence of that moral fitness required for admission to the bar since they were totally irresponsible, irrelevant and uncalled for.

In the 13 July 1995 resolution in this case we stated:

"x x x participation in the prolonged and mindless physical behavior, [which] makes impossible a finding that the participant [herein petitioner] was then possessed of good moral character." [1]

In the same resolution, however, we stated that the Court is prepared to consider de novo the question of whether petitioner has purged himself of the obvious deficiency in moral character referred to above.

Before anything else, the Court understands and shares the sentiment of Atty. Gilbert Camaligan. The death of one's child is, for a parent, a most traumatic experience. The suffering becomes even more pronounced and profound in cases where the death is due to causes other than natural or accidental but due to the reckless imprudence of third parties. The feeling then becomes a struggle between grief and anger directed at the cause of death.

Atty. Camaligan's statement before the Court manifesting his having forgiven the accused is no less than praiseworthy and commendable. It is exceptional for a parent, given the circumstances in this cases, to find room for forgiveness.

However, Atty. Camaligan admits that he is still not in a position to state if petitioner is now morally fit to be a lawyer.

After a very careful evaluation of this case, we resolve to allow petitioner Al Caparros Argosino to take the lawyer's oath, sign the Roll of Attorneys and practice the legal profession with the following admonition:

In allowing Mr. Argosino to take the lawyer's oath, the Court recognizes that Mr. Argosino is not inherently of bad moral fiber. On the contrary, the various certifications show that he is a devout Catholic with a genuine concern for civic duties and public service.

The Court is persuaded that Mr. Argosino has exerted all efforts to atone for the death of Raul Camaligan. We are prepared to give him the benefit of the doubt, taking judicial notice of the general tendency of youth to be rash, temerarious and uncalculating.

We stress to Mr. Argosino that the lawyer's oath is NOT a mere ceremony or formality for practicing law. Every lawyer should at ALL TIMES weigh his actions according to the sworn promises he makes when taking the lawyer's oath. If all lawyers conducted themselves strictly according to the lawyer's oath and the Code of Professional Responsibility, the administration of justice will undoubtedly be faster, fairer and easier for everyone concerned.

The Court sincerely hopes that Mr. Argosino will continue with the assistance he has been giving to his community. As a lawyer he will now be in a better position to render legal and other services to the more unfortunate members of society.

PREMISES CONSIDERED, petitioner Al Caparros Argosino is hereby ALLOWED to take the lawyer's oath on a date to be set by the Court, to sign the Roll of Attorneys and, thereafter, to practice the legal profession.
SO ORDERED.

Narvasa, C.J., (Chairman), Regalado, Davide, Jr., Romero, Bellosillo, Melo, Puno, Vitug, Kapunan, Mendoza, Francisco, Hermosisima, Jr., Panganiban, and Torres, Jr., JJ., concur.

[1] Resolution, p. 8.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.