OCA CIRCULARS NO. 60-2002, March 01, 2002

OCA CIRCULARS NO. 60-2002, March 01, 2002

Read online (full-text search, related cases, audio case brief): https://batas.org/library/99f0346ad15f/

TO:

THE COURT OF TAX APPEALS, SAMDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI' A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI' A CIRCUIT COURTS, THE OFFICE OF THE STATE PROSECUTOR, PUBLIC DEFENDER'S OFFICE AND THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT:

DISPARTMENT OF ATTY. VIRGILIO R. GARCIA

For the information and guidance of all concerned, quoted hereunder is the vision of the Court En Banc in Administrative Case No. 4738 entitled "Violeta Flores Tagtag vs. Atty. Virgilio R. Garcia" dated 2 February 2002, to wit:

> "xxx
>
> Act 2103, Section I4 provides that a notary public 'shall certify that the person acknowledging the instrument or document is known to him and that he is the same person who executed it, and acknowledged that the same is his free act and deed.' Respondent submitted that the deed of donation is authentic. He assisted his father-in-law, the donor, in executing the same. By notarizing the document , he likewise acknowledged that the signature therein is the donor's hue signature.
>
> xxx
>
> 'Where the notary public is a lawyer, a graver responsibility is placed upon his shoulder by reason by reason of his solemn oath the laws and to do no falsehood or consent to the doing of any.' 10 In Maligsa v. Cabanting, we held, thus:
>
> 'As a lawyer commissioned as notary public, respondent is mandated to subscribed to the sacred duties appreciating to his
> office, such duties
>
> In the case at bar, respondent violated his solemn oath as a lawyer not to engage in unlawful, dishonest or deceitful conduct. He maintained that the signature of the donor was genuine despite the finding of experts to the contrary. He also tried to make a mockery of the legal profession by advancing the flimsy excuse that his failure to submit a copy of the document to the Clerk of Court was his secretary's fault.
>
> There is also a showing that respondent harassed the occupants of the property subject of the donation. He

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

> asked Meralco to disconnect its service to the property, threatening law suits if his demands were not heeded.[13] He also posted security guards to intimidate the occupants of the property.[14] Clearly, respondent's acts caused dishonor to the legal profession.[15]
>
> A notary who acknowledged a document that was a forgery destroys the integrity and dignity of the legal profession. He does not deserve to continue as member of the bar.[16]
>
> IN VIEW WHEREOF, we find respondent VIRGILIO R. GARCIA guilty of grave misconduct rendering him unworthy of continuing membership in the legal profession. We order him DISBARRED from the practice of law and his name stricken off the Roll of Attorneys, effective immediately.

Copy of the decision was received by Atty. Garcia on 20 February 2002 is manifested in his Motion for Reconsideration dated 1 March 2002.

1 March 2002.

PRESBITERO J. VELASCO, JR.

Court Administrator

---

[13] Rule 1.01, Code of Professional Responsibility.

[14] Exh. "1", Reply to Comment (Rollo, p. 85)

[15] Reply to Comment (Rollo, p. 66-74, at p. 71)

[16] Gonato v. Adaza, 328 SCRA 694 (2000); Tapucar v. Tapucar, 355 Phil. 66 (1998)

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.