INTESTATE ESTATE OF JOSE UY, HEREIN REPRESENTED BY ITS ADMINISTRATOR WILSON UY, COMPLAINANT, VS. ATTY. PACIFICO M. MAGHARI III, RESPONDENT.

A.C. No. 10525. September 01, 2015

Ponente: LEONEN, J.

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LEONEN, J.:

This resolves a Complaint[1] for disbarment directly filed before this court by complainant Wilson Uy, the designated administrator of the estate of Jose Uy. This Complaint charges respondent Atty. Pacifico M. Maghari, III (Maghari) with engaging in deceitful conduct and violating the Lawyer's Oath. Specifically, Maghari is charged with the use of information that is false and/or appropriated from other lawyers in signing certain pleadings.[2]

On February 18, 1997, Lilia Hofileña (Hofileña) filed a Petition before the Bacolod City Regional Trial Court praying that she be designated administratrix of the estate of her common-law partner, the deceased Jose Uy. This was docketed as Spec. Proc. No. 97-241.[3]

Hofileña was initially designated administratrix.[4] However, a Motion for Reconsideration of the Order designating Hofileña as administratix was filed by Wilson Uy, one of Jose Uy's children, on behalf of Jose Uy's spouse and other children.[5] In its Order[6] dated June 9, 1998, the Regional Trial Court designated Wilson Uy as administrator of Jose Uy's estate.

Subsequently, Hofileña's claims in the settlement of Jose Uy's estate were granted.[7] Hence, she filed a Motion for Execution[8] dated September 14, 2007.

In Spec. Proc No. 97-241 and in other proceedings arising from the conflicting claims to Jose Uy's estate, Hofileña was represented by her counsel, Atty. Mariano L. Natu-El (Atty. Natu-el). In a pleading filed in the course of these proceedings (i.e., in the Comment dated May 27, 2009 filed before the Court of Appeals9), Atty. Natu-El indicated the following details:

> MARIANO L. NATU-EL
> Counsel for Private-Respondent
> Rm. 14, J.S. Building
> Lacson-Galo Sts., Bacolod City
> IBP O.R. No. 731938 11/24/08
> PTR NO. 0223568 1/5/09
> ROLL NO. 20865
> MCLENO. 0015970[10] (Emphasis supplied)

There appears to have been conflicts between Wilson Uy and the other heirs of Jose Uy.[11] In the course of the proceedings, Wilson Uy prayed that a subpoena ad testificandum be issued to Magdalena Uy as she was alleged to have been the treasurer of several businesses owned by Jose Uy.[12] In its Order[13] dated April 20, 2010, the

Regional Trial Court granted Wilson Uy's Motion that a Subpoena ad Testificandum be issued to Magdalena Uy.

Thereafter, Magdalena Uy, through Maghari, her counsel, filed a Motion to Quash Subpoena ad Testificandum with Alternative Motion to Cite the Appearance of Johnny K.H. Uy.[14] In signing this Motion, Maghari indicated the following details:

> PACIFICO M. MAGHARI, III
> Counsel for Magdalena Uy
> 590 Ylac St., Villamonte
> Bacolod City
> IBP O.R. No. 731938 11/24/08 B.C.
> PTR NO. 0223568 1/5/09 B.C.
> ROLL NO. 20865
> MCLECompl. 0015970 1/14/09[15] (Emphasis supplied)

On November 9, 2010, Wilson Uy filed his Opposition to Magdalena Uy's Motion to Quash.[16]

Magdalena Uy, through Maghari, filed her Reply[17] to Wilson Uy's Opposition. This Reply was dated December 8, 2010. In signing this Reply, Maghari indicated the following details:

> PACIFICO M. MAGHARI, III
> Counsel for Magdalena Uy
> 590 Ylac St., Villamonte
> Bacolod City
> IBP O.R. No. 766304 11/27/09 B.C.
> PTR NO. 3793872 1/4/10 B.C.
> ROLL NO. 20865
> MCLE Compl. 0015970 1/14/09[18] (Emphasis supplied)

The Regional Trial Court subsequently denied Magdalena Uy's Motion to Quash.[19] Thereafter, Maghari filed for Magdalena Uy a Motion for Reconsideration[20] dated July 15, 2011. In signing this Motion, Maghari indicated the following details:

> PACIFICO M. MAGHARI, III
> Counsel for Magdalena Uy
> 590 Ylac St., Villamonte
> Bacolod City
> IBP O.R. No. 815530 1/4/11 B.C.
> PTR NO. 4190929 1/4/11 B.C.
> ROLL NO. 20865
> MCLE Compl. IH-0000762 1/14/09[21](Emphasis supplied)

As the Motion for Reconsideration was denied,[22] Maghari filed for Magdalena Uy a Motion to Recall Subpoena ad Testificandum[23] dated March 8, 2012. In signing this Motion, Maghari indicated the following details:

> PACIFICO M. MAGHARI, III
> Counsel for Magdalena Uy
> 590 Ylac St., Villamonte
> Bacolod City
> IBP O.R. No. 848630 12/27/11 B.C.
> PTR NO. 4631737 1/2/12 B.C.
> ROLL NO. 44869
> MCLE Compl. III-0000762 1/14/09[24] (Emphasis supplied)

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At this point, Wilson Uy's counsel noticed that based on the details indicated in the March 8, 2012 Motion, Maghari appeared to have only recently passed the bar examinations. This prompted Wilson Uy to check the records of Spec. Proc No. 97-241. Upon doing so, he learned that since 2010, Maghari had been changing the professional details indicated in the pleadings he has signed and has been copying the professional details of Atty. Natu-El.[25]

Wilson Uy then filed a Motion[26] to declare Magdalena Uy in indirect contempt (as by then she had still not complied with the Subpoena ad Testificandum) and to require Maghari to explain why he had been usurping the professional details of another lawyer.

In its Order[27] dated February 16, 2012, the Regional Trial Court declined from citing Magdalena Uy in contempt as no verified petition asking that she be so cited had been filed.[28]

On July 31, 2014, Wilson Uy filed before this court the present Complaint for disbarment.[29] Pointing to Maghari's act of repeatedly a changing and using another lawyer's professional details, Wilson Uy asserts that Maghari violated the Lawyer's Oath and acted in a deceitful manner.

In the Resolution[30] dated November 12, 2014, this court directed Maghari to file his Comment on Wilson Uy's Complaint.

This court, through the Office of the Bar Confidant, received Maghari's Comment[31] on March 2, 2015.

For resolution are the issues of whether respondent Atty. Pacifico M. Maghari, III engaged in unethical conduct and of what proper penalty may be meted on him.

I

Respondent does not deny the existence of the errant entries indicated by complainant. However, he insists that he did not incur disciplinary liability. He claims that these entries were mere overlooked errors:

> For true indeed that after the draft of a particular motion or pleading had been printed and ready for signature, all what [sic] he did after cursorily going over it was to affix his signature thereon, specifically, atop his printed name, without giving any special or particular attention to details as the "IBP, PTR, and MCLE Numbers", considering that these are matters of record and are easily verifiable, thus he gains nothing by "the usurpation of professional details of another lawyer" and has no sinister motive or ill-purpose in so doing[.][32]

He attempts to diminish the significance of the dubious entries and instead ascribes ill motive to complainant. He faults complainant for "nitpicking"[33] and calls him a "sore loser"[34] and a "disgruntled litigant"[35] who is merely "making a mountain out of a molehill"[36] and is predisposed to "fault-finding."

He adds that "for the satisfaction of complainant,"[37] he has provided what are supposedly his correct professional details:

> 2009
>
> IBP OR No. 765868 - Dec. 22, 2008 - Bacolod City
> PTR No. 3408746 - Jan. 5, 2009 -Bacolod City
> MCLE Compl. II-0012507 - Jan. 14, 2009 and
> III-0000762-Jan. 14, 2009
>
> 2010
>
> IBP OR No. 766304 - Dec. 9, 2009 - Bacolod City
> PTR No. 3793872 - Jan. 4, 2010 -Bacolod City

MCLE Compl. II-0012507 - Jan. 14, 2009 and
III-0000762 - Jan. 14, 2009

2011

IBP OR No. 815530 -Jan. 4, 2011 -Bacolod City
PTRNo. 4190929 - Jan. 4, 2011 - Bacolod City
MCLE Compl. III-0000762 - Jan. 14, 2009

2012

IBP OR No. 848630-Dec. 27, 2011 - Bacolod City
PTR No. 4631737 - Jan. 2, 2012 -Bacolod City
MCLE Compl. III-0000762 - Jan. 14, 2009[38]

II

Respondent's avowals, protestations, and ad hominem attacks on complainant fail to impress.

The duplicitous entries speak for themselves. The errors are manifest and respondent admits their existence. This court would perhaps be well counseled to absolve respondent of liability or let him get away with a proverbial slap on the wrist if all that was involved were a typographical error, or otherwise, an error or a handful of errors made in an isolated instance or a few isolated instances. So too, if the error pertained to only ' one of the several pieces of information that lawyers are required to indicate when signing pleadings.

None of these can be said of this case. Respondent did not merely commit errors in good faith. The truth is far from it. First, respondent violated clear legal requirements, and indicated patently false information. Second, the way he did so demonstrates that he did so knowingly. Third, he did so repeatedly. Before our eyes is a pattern of deceit. Fourth, the information he used was shown to have been appropriated from another lawyer. Not only was he deceitful; he was also larcenous. Fifth, his act not only of usurping another lawyer's details but also of his repeatedly changing information from one pleading to another demonstrates the intent to mock and ridicule courts and legal processes. Respondent toyed with the standards of legal practice.

Rule 138, Section 27 of the Rules of Court provides for deceit as a ground for disbarment. The Lawyer's Oath entails commitment to, among others, obeying laws and legal orders, doing no falsehood, conducting one's self as a lawyer to the best of one's capacity, and acting with fidelity to both court and client:

> I, do solemnly swear that I will maintain allegiance to the Republic of the Philippines, I will support the Constitution and obey the laws as well as the legal orders of the duly constituted authorities therein; I will do no falsehood, nor consent to the doing of any in court; I will not wittingly or willingly promote or sue any groundless, false or unlawful suit, or give aid nor consent to the same; I will delay no man for money or malice, and will conduct myself as a lawyer according to the best of my knowledge and discretion, with all good fidelity as well to the courts as to my clients; and I impose upon myself these voluntary obligations without any mental reservation or purpose of evasion. So help me God.

No amount of feigned ignorance and ad hominem attacks on complainant can negate the gravity of respondent's actions. His insolent and mocking violation of statutory and regulatory requirements is a violation of his duties to society and to courts. His swiping of another lawyer's information is a violation of his duties to the legal profession. The unnecessary risks that he foiled on his client as a possible result of deficiently signed pleadings violate his duties to his client. Thus, respondent did not only act in a deceitful manner and violate the solemn oath he took to be admitted into the legal profession; he also violated every single chapter of the Code of Professional Responsibility.

It is as clear as the entries themselves that respondent acted in a manner that is woefully unworthy of an officer of the court. He was not even a good citizen. As respondent has fallen short of the ethical standards apropos to members of the legal profession, we find it proper to suspend respondent from the practice of law for two (2) years.

III

The requirement of a counsel's signature in pleadings, the significance of this requirement, and the consequences of non-compliance are spelled out in Rule 7, Section 3 of the Rules of Court:

> Section 3. Signature and address. — Every pleading must be signed by the party or counsel representing him, stating in either case his address which should not be a post office box.
>
> The signature of counsel constitutes a certificate by him that he has read the pleading; that to the best of his knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay.
>
> An unsigned pleading produces no legal effect. However, the court may, in its discretion, allow such deficiency to be remedied if it shall appear that the same was due to mere inadvertence and not intended for delay. Counsel who deliberately files an unsigned pleading, or signs a pleading in violation of this Rule, or alleges scandalous or indecent matter therein, or fails promptly report to the court a change of his address, shall be subject to appropriate disciplinary action. (Emphasis supplied)

A counsel's signature on a pleading is neither an empty formality nor even a mere means for identification. Through his or her signature, a party's counsel makes a positive declaration. In certifying through his or her signature that he or she has read the pleading, that there is ground to support it, and that it is not interposed for delay, a lawyer asserts his or her competence, credibility, and ethics. Signing a pleading is such a solemn component of legal practice that this court has taken occasion to decry the delegation of this task to non-lawyers as a violation of the Code of Professional Responsibility:

> The signature of counsel constitutes an assurance by him that he has read the pleading; that, to the best of his knowledge, information and belief, there is a good ground to support it; and that it is not interposed for delay. Under the Rules of Court, it is counsel alone, by affixing his signature, who can certify to these matters.
>
> The preparation and signing of a pleading constitute legal work involving practice of law which is reserved exclusively for the members of the legal profession. Counsel may delegate the signing of a pleading to another lawyer but cannot do so in favor of one who is not. The Code of Professional Responsibility provides:
> Rule 9.01 — A lawyer shall not delegate to any unqualified person the performance of any task which by law may only be performed by a member of the Bar in good standing.

Moreover, a signature by agents of a lawyer amounts to signing by unqualified persons, something the law strongly proscribes.[39] (Citations omitted)

A counsel's signature is such an integral part of a pleading that failure to comply with this requirement reduces a pleading to a mere scrap of paper totally bereft of legal effect. Thus, faithful compliance with this requirement is not only a matter of satisfying a duty to a court but is as much a matter of fidelity to one's client. A deficiency in this respect can be fatal to a client's cause.

Apart from the signature itself, additional information is required to be indicated as part of a counsel's signature:

(1)

Per Rule 7, Section 3 of the Rules of Court, a counsel's address must be stated;

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(2)

In Bar Matter No. 1132,[40] this court required all lawyers to indicate their Roll of Attorneys number;

(3)

In Bar Matter No. 287,[41] this court required the inclusion of the "number and date of their official receipt indicating payment of their annual membership dues to the Integrated Bar of the Philippines for the current year"; in lieu of this, a lawyer may indicate his or her lifetime membership number;

(4)

In accordance with Section 139 of the Local Government Code,[42] a lawyer must indicate his professional tax receipt number;

(5)

Bar Matter No. 1922[43] required the inclusion of a counsel's Mandatory Continuing Legal Education Certificate of Compliance or Certificate of Exemption; and

(6)

This court's Resolution in A.M. No. 07-6-5-SC[44] required the inclusion of a counsel's contact details.

As with the signature itself, these requirements are not vain formalities.

The inclusion of a counsel's Roll of Attorneys number, professional tax receipt number, and Integrated Bar of the Philippines (IBP) receipt (or lifetime membership) number is intended to preserve and protect the integrity of legal practice. They seek to ensure that only those who have satisfied the requisites for legal practice are able to engage in it. With the Roll of Attorneys number, parties can readily verify if a person purporting to be a lawyer has, in fact, been admitted to the Philippine bar.[45] With the professional tax receipt number, they can verify if the same person is qualified to engage in a profession in the place where he or she principally discharges his or her functions. With the IBP receipt number, they can ascertain if the same person remains in good standing as a lawyer. These pieces of information, in the words of Galicto v. Aquino III, "protect the public from bogus lawyers."[46] Paying professional taxes (and the receipt that proves this payment) is likewise compliance with a revenue mechanism that has been statutorily devolved to local government units.

The inclusion of information regarding compliance with (or exemption from) Mandatory Continuing Legal Education (MCLE) seeks to ensure that legal practice is reserved only for those who have complied with the recognized mechanism for "keep[ing] abreast with law and jurisprudence, maintaining] the ethics of the profession[,] and enhancing] the standards of the practice of law."[47]

Lastly, the inclusion of a counsel's address and contact details is designed to facilitate the dispensation of justice. These pieces of information aid in the service of court processes, enhance compliance with the requisites of due process, and facilitate better representation of a client's cause. In Juane v. Garcia,[48] this court took occasion to expound on the significance of putting on record a counsel's address:

> The time has come, we believe, for this Court to remind the members of the Bar that it is their inescapable duty to make of record their correct address in all cases in which they are counsel for a suitor. For, instances there have been in the past when, because of failure to inform the court of the change of address, litigations were delayed. And this, not to speak of inconvenience caused the other parties and the court. Worse still, litigants have lost their cases in court because of such negligence on the part of their counsel. It is painful enough for a litigant to surfer a setback in a legal battle. It is doubly painful if defeat is occasioned by his attorney's failure

> to receive notice because the latter has changed the place of his law office without giving the proper notice therefor. It is only when some such situation comes about that the negligent lawyer comes to realize the grave responsibility that he has incurred both to his client and to the cause of justice. It is then that the lawyer is reminded that in his oath of office he solemnly declared that he "will conduct" himself "as a lawyer according to the best of his knowledge and discretion." Too late. Experience indeed is a good teacher. To a lawyer, though, it could prove very expensive.[49]

These requirements are not mere frivolities. They are not mere markings on a piece of paper. To willfully disregard them is, thus, to willfully disregard mechanisms put in place to facilitate integrity, competence, and credibility in legal practice; it is to betray apathy for the ideals of the legal profession and demonstrates how one is wanting of the standards for admission to and continuing inclusion in the bar. Worse, to not only willfully disregard them but to feign compliance only, in truth, to make a mockery of them reveals a dire, wretched, and utter lack of respect for the profession that one brandishes.

IV

We underscore several facts. These demonstrate that respondent acted in manifest bad faith, thereby exhibiting a pattern of insubordination, dishonesty, deceit, and intent to make a mockery of courts and legal processes.

In signing the Motion to Quash Subpoena ad Testificandum with Altenative Motion to Cite the Appearance of Johnny K.H. Uy, respondent appropriated four of the five details (i.e., IBP official receipt number, professional tax receipt number, Roll of Attorneys number, and MCLE compliance number) that Atty. Natu-el indicated in the Comment dated May 27, 2009, which the latter signed and filed before the Court of Appeals. Atty. Natu-el's details are reproduced as follows:

> MARIANO L. NATU-EL
> Counsel for Private-Respondent
> Rm. 14, J.S. Building
> Lacson-Galo Sts., Bacolod City
> IBP O.R. No. 731938 11/24/08
> PTR NO. 0223568 1/5/09
> ROLL NO. 20865
> MCLENO. 0015970[50] [Emphasis supplied]

The details that respondent indicated are reproduced as follows:

> PACIFICO M. MAGHARI, III
> Counsel for Magdalena Uy
> 590 Ylac St., Villamonte
> Bacolod City
> IBPO.R. No. 731938 11/24/08 B.C.
> PTR NO. 0223568 1/5/09 B.C.
> ROLL NO. 20865
> MCLE Compl. 00159701/14/09[51] (Emphasis supplied)

In signing the Reply dated December 8, 2010, respondent used what was supposedly his correct IBP official receipt number and professional tax receipt number:

> PACIFICO M. MAGHARI, III
> Counsel for Magdalena Uy
> 590 Ylac St., Villamonte
> Bacolod City

IBP O.R. No. 766304 11/27/09 B.C.
PTR NO. 3793872 1/4/10 B.C.
ROLL NO. 20865
MCLE Compl. 00159701/14/09[52] (Emphasis supplied)

The same pleading, however, still bore Atty. Natu-el's Roll of Attorneys number and MCLE compliance number, which respondent previously appropriated for himself.

In signing the Motion for Reconsideration dated July 15, 2011, respondent used what was supposedly his correct IBP official receipt number and professional tax receipt number. However, he still used Atty. Natu-el's Roll of Attorneys number:

PACIFICO M. MAGHARI, III
Counsel for Magdalena Uy
590 Ylac St., Villamonte
Bacolod City
IBP O.R. No. 815530 1/4/11 B.C.
PTR NO. 4190929 1/4/11 B.C.
ROLL NO. 20865
MCLE Compl. III-0000762 1/14/09 [53](Emphasis supplied)

It was only in signing the Motion to Recall Subpoena ad Testificandum[54] dated March 8, 2012, that all the professional details that respondent indicated are supposedly his own:

PACIFICO M. MAGHARI, III
Counsel for Magdalena Uy
590 Ylac St., Villamonte
Bacolod City
IBP O.R. No. 848630 12/27/11 B.C.
PTR NO. 4631737 1/2/12 B. C.
ROLL NO. 44869
MCLE Compl. 111-0000762 1/14/09 (Emphasis supplied)

Respondent acted deliberately. It is impossible that the erroneous details he indicated on his pleadings are products of mere inadvertence.

To begin with, details were copied from a pleading submitted by another lawyer. These details somehow found their way into respondent's own pleadings. Certainly, these details could not have written themselves, let alone transfer themselves from a pleading prepared by one lawyer to those prepared by another. Someone must have actually performed the act of copying and transferring; that is, someone must have intended to copy and transfer them. Moreover, the person responsible for this could have only been respondent or someone acting under his instructions; the pleadings on which they were transferred are, after all, respondent's pleadings.

Second, these details were not merely copied, they were modified. "B.C." was added to the IBP official receipt and professional tax receipt numbers copied from Atty. Natu-el. The facts of modification and addition show active human intervention to make something more out of markings that could otherwise have simply been reproduced.

Third, in subsequent pleadings, some details copied from Atty. Natu-el were discarded while some were retained. The December 8, 2010 Reply still bore Atty. Natu-el's Roll of Attorneys number and MCLE compliance number, but no longer his IBP official receipt number and professional tax receipt number. The July 15, 2011 Motion for Reconsideration only bore Atty. Natu-el's MCLE compliance number. This gradual act of segregating

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information—discarding some while retaining others, and retaining less over time—reveals that the author of these markings must have engaged in a willful exercise that filtered those that were to be discarded from those that were to be retained.

Respondent is rightly considered the author of these acts. Any claim that the error was committed by a secretary is inconsequential. As this court has stated in Gutierrez v. Zulueta:[55]

> The explanation given by the respondent lawyer to the effect that the failure is attributable to the negligence of his secretary is devoid of merit. A responsible lawyer is expected to supervise the work in his office with respect to all the pleadings to be filed in court and he should not delegate this responsibility, lock, stock and barrel, to his office secretary. If it were otherwise, irresponsible members of the legal profession can avoid appropriate disciplinary action by simply disavowing liability and attributing the problem to the fault or negligence of the office secretary. Such situation will not be countenanced by this Court.[56]

V

In the first place, it is doubtful that respondent has complied with the requirements of paying his dues to the Integrated Bar of the Philippines, paying his annual professional tax, and completing the necessary units for Mandatory Continuing Legal Education in the periods concerned. To put it plainly, there would be no need for him to use incorrect information if he had complied with all pertinent regulations.

In his Comment, respondent provided what are supposedly his correct professional details. We emphasize, however, that he failed to attach to his Comment copies of the pertinent official receipts, certifications, and other supporting documents. All that he relies on is a self-serving recital of numbers and dates. None but respondent, himself, was in a better position to produce the documents that could prove his claims. His failure to do so is, at the very least, suspicious. It can very well mean that they do not exist, or that he willfully desisted from producing them. The latter would be more damaging to respondent, as it calls into operation the basic presumption "[t]hat evidence willfully suppressed would be adverse if produced."[57]

Even assuming that the details provided by respondent in his Comment are correct, it still remains that he (1) used a false IBP official receipt number, professional tax receipt number, Roll of Attorneys number, and MCLE compliance number a total of seven (7) times; and (2) used another lawyer's details seven (7) times.

In failing to accurately state his professional details, respondent already committed punishable violations. An isolated inaccuracy, regardless of the concerned lawyer's lack of bad faith, already merits a penalty of relative severity. In Bumactao v. Fano,[58] respondent Atty. Restito F. Fano was suspended from the practice of law for the singular violation of indicating wrong MCLE compliance details:

> Here, it is established that respondent Atty. Restito F. Fano falsely indicated "MCLE Compliance No. III-0018308". . . . . The admitted falsity notwithstanding, respondent endeavors to douse his culpability by shifting the blame to the MCLE providers - PLM and IBP Quezon City Chapter — and insisting that he acted in good faith. He likewise attributes the indication of "MCLE Compliance No. III-0018308" to his secretary / liaison, an "honest mistake . . . because of the pressure of his many duties."
>
> We are not impressed.
>
> Bar Matter No. 1922, dated June 3, 2008, requires "practicing members of the bar to indicate in all pleadings filed before the courts or quasi-judicial bodies, the number and date of issue of their MCLE Certificate of Compliance or Certificate of Exemption, as may be applicable. . . ." It further provides that "[f]ailure to disclose the required information would cause the dismissal of the case and the expunction of the pleadings from the records."

> At the very least, respondent was negligent in failing to monitor his own MCLE compliance. This is a sort of negligence that is hardly excusable. As a member of the legal profession, respondent ought to have known that non-compliance would have resulted in the rendering inutile of any pleading he may file before any tribunal. The grave consequence of non-compliance notwithstanding, respondent (by his own account) admits to having complacently relied on the statements of MCLE providers. His negligence, therefore risked harm not only upon himself - he being now burdened with the present complaint as a direct consequence - but worse, upon his clients, the reliefs they seek through their pleadings being possibly rendered inoperative.[59]

This court has never shied away from disciplining lawyers who have willfully engaged in acts of deceit and falsehood.

In Flores v. Chua,[60] respondent Atty. Enrique S. Chua was disbarred on this court's finding of "a habit, attitude, and mindset not only to abuse one's legal knowledge or training, but also to deliberately defy or ignore known virtues and values which the legal profession demands from its members."[61] Atty. Enrique S. Chua was found to have notarized a document that he knew to have been falsified so as to make it appear that a person had personally appeared before him; this was part of a bigger design to defraud another.

In Nunga v. Viray,[62] respondent Atty. Venancio Viray was suspended from the practice of law for three (3) years after having been found to have notarized a document despite the lapse of his commission as a notary public.

In Benguet Electric Cooperative v. Flores,[63] respondent Atty. Ernesto B. Flores was suspended from the practice of law for two (2) years after being found to have falsely stated that he did not pursue an appeal so as to absolve himself of the charge of forum shopping when, in fact, he had perfected an appeal.

Here, respondent violated Bar Matter No. 287, Section 139(e) of the Local Government Code, Bar Matter No. 1132, and Bar Matter No. 1922, a total of seven (7) times. The sheer multiplicity of instances belies any claim that we are only dealing with isolated errors. Regardless whether isolated or manifold, these inaccuracies alone already warrant disciplinary sanctions. However, as shall be discussed, respondent also acted with dishonest, deceitful, and even larcenous intent.

Respondent is not only accountable for inaccuracies. This case is far from being a matter of clerical errors. He willfully used false information. In so doing, he misled courts, litigants—his own client included— professional colleagues, and all others who may have relied on the records and documents on which these false details appear.

Respondent's act of filing pleadings that he fully knew to contain false information is a mockery of courts, chief of which is this court, considering that this court is the author of all but one of the regulations that respondent violated. It is this court that requires respondent to indicate his Roll of Attorneys number, IBP official receipt number, and MCLE compliance number.

Having also violated a requirement spelled out in the Local Government Code, respondent similarly made a mockery of an act of the legislature.

Respondent's profligacy does not stop here. He also appropriated for himself another lawyer's professional details in seven (7) separate instances.

In seven distinct instances, respondent is accountable for three constituent acts of larceny, taking, use, and profiting.

Seven times, respondent took for himself professional details that belonged to another. In these seven instances, he used the same swiped details in his own pleadings. So too, in these seven instances he personally benefited. In these instances, respondent succeeded in making it appear that he filed valid pleadings and avoided the fatal

consequences of a deficiently signed pleading. He was able to pursue reliefs in court and carry on litigation that could have been terminated as soon as his deficient pleadings were recognized.

All these instances of falsity, dishonesty, and professional larceny are similarly acts of deceit. In using false information taken from another, respondent misled courts, parties, and colleagues into believing that he was faithfully, truthfully, and decently discharging his functions.

Respondent's acts reek of malicious intent to deceive courts. He was not only insubordinate and disobedient of regulations; he was also dishonest, deceitful and duplicitous. Worse, he was mocking and contemptuous.

VI

The totality of respondent's actions demonstrates a degree of gravity that warrants suspension from the practice of law for an extended period.

This case involves anything but trivial non-compliance. It is much graver. The confluence of: (1) respondent's many violations; (2) the sheer multiplicity of rules violated; (3) the frequency—nay, pattern—of falsity and deceit; and (4) his manifest intent to bring courts, legal processes, and professional standards to disrepute brings to light a degree of depravity that proves respondent worthy of being sanctioned. Having flagrantly disobeyed, deceived, and ridiculed courts, respondent rightly stands to be at the receiving end of disciplinary action.

Respondent's circumstances are well within the grounds for disciplining lawyers as specified by Rule 138, Section 27 of the Rules of Court. His deception is well demonstrated. He ran afoul of every single word, save perhaps his name, in the Lawyer's Oath. Then again, it was his own signature, his own name, that respondent Pacifico M. Maghari, III had disgraced.

Respondent's acts also demonstrate a violation of every single chapter of the Code of Professional Responsibility.

Canon 1 of the Code of Professional Responsibility pronounces a lawyer's foremost duty "to uphold the constitution, obey the laws of the land V and promote respect for law and legal processes" Rule 1.01 of the same Code requires lawyers to "not engage in unlawful, dishonest, immoral or deceitful conduct."

Per Canon 10 of the Code of Professional Responsibility, "[a] lawyer owes candor, fairness and good faith to the court" Rule 10.01 requires lawyers to "not do any falsehood . . . or allow the court to be misled by any artifice." Rule 10.03 imposes upon lawyers the duty of faithfully "observ[ing] the rules of procedure [and] not misusing] them to defeat the ends of justice." Canon 11 exhorts lawyers to "observe and maintain the respect due to the courts."

Respondent did not merely violate a statute and the many issuances of this court as regards the information that members of the bar must indicate when they sign pleadings. He did so in a manner that betrays intent to make a mockery of courts, legal processes, and professional standards. By his actions, respondent ridiculed and toyed with the requirements imposed by statute and by this court. He trampled upon professional standards established not only by this court, in its capacity as overseer of the legal profession, but by the Republic itself, through a duly enacted statute. In so doing, he violated his duty to society and to the courts.

Canon 8 of the Code of Professional Responsibility requires a lawyer to "conduct himself with courtesy, fairness and candor toward his professional colleagues."

In appropriating information pertaining to his opposing counsel, respondent did not only fail to observe common courtesy. He encroached upon matters that, ultimately, are personal to another. This encroachment is, therefore, not only an act of trickery; it is also act of larceny. In so doing, he violated his duty to the legal profession.

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Canon 17 of the Code of Professional Responsibility imposes upon a lawyer "fidelity to the cause of his client," while Canon 18 requires a lawyer to "serve his client with competence and diligence."

In using false information in his pleadings, respondent unnecessarily put his own client at risk. Deficiencies in how pleadings are signed can be fatal to a party's cause as unsigned pleadings produce no legal effect. In so doing, respondent violated his duty to his clients.

It is tempting to think that the only thing respondent did was to deviate from required formalities. Respondent was, himself, quite dismissive, stating that he did nothing more than "cursorily [go] over . . . without giving any ... attention to details . . . that. . . are matters of record and are easily verifiable."[64] It is equally tempting to think it would be excessive of this court to engage in an overly rigid, pedantic emphasis on formalistic niceties.

However, we have demonstrated that what can otherwise be dismissed as empty formalities are, in fact, necessary solemnities. They are not ends in themselves but crucial means to enhance the integrity, competence and credibility of the legal profession. They are vital to the dispensation of justice. The significance of these solemnities, along with the legal profession's "high standard of legal proficiency, . . . morality, honesty, integrity[,] and fair dealing[,]"[65] put in contrast with how respondent has fallen dismally and disturbingly short of the high standards that his profession demands, demonstrates the propriety of momentarily suspending respondent from engaging in legal practice.

It is unsettling that respondent engaged in the mockery and ridicule that he did of the very same badges—his place in the Roll of Attorneys, his membership in the Integrated Bar, his recognition as a practicing professional, his continuing training and competence—that are emblematic of his being a lawyer. Seeing as how he manifested such contempt for these badges, we find that there is every reason for preventing him, at least temporarily, from engaging in the profession these badges signify.

WHEREFORE, respondent Atty. Pacifico M. Maghari, III, having clearly violated his Lawyer's Oath and the Canons of the Code of Professional Responsibility through his unlawful, dishonest, and deceitful conduct, is SUSPENDED from the practice of law for two (2) years, effective upon receipt of a copy of this Resolution.

Let copies of this Resolution be served on the Office of the Bar Confidant, the Integrated Bar of the Philippines, and all courts in the country for their information and guidance. Let a copy of this Resolution be attached to respondent Atty. Pacifico M. Maghari, III's personal record as attorney.

SO ORDERED.

Sereno, C.J., Carpio, Leonardo-De Castro, Brion, Peralta, Bersamin, Del Castillo, Villarama, Jr., Perez, Mendoza, Perlas-Bernabe, and Jardeleza, JJ., concur.

Velasco, Jr., J., no part. I inhibit due to relation to a party.

Reyes, J., on leave.

NOTICE OF JUDGMENT

Sirs/Mesdames:

Please take notice that on September 1, 2015 a Decision/Resolution, copy attached herewith, was rendered by the Supreme Court in the above-entitled case, the original of which was received by this Office on November 13, 2015 at 10:03 p.m.

Very truly yours,

(SGD)
FELIPA G. BORLONGAN-ANAMA
Clerk of Court

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[1] Rollo, pp. 1-18.

[2] Id. at 15, Complaint.

[3] Id. at 19, Order.

[4] Id.

[5] Id.

[6] Id. at 19-21.

[7] Id. at 22, Motion for Execution.

[8] Id. at 22-24.

[9] Id. at 26-29.

[10] Id. at 29.

[11] Id. at 19, Order.

[12] Id. at 3, Complaint.

[13] Id. at 30-31.

[14] Id. at 32-35.

[15] Id. at 35, Motion to Quash Subpoena ad Testificandum with Alternative Motion to Cite the Appearance of Johnny K.H. Uy..

[16] Id. at 4, Complaint.

[17] Id. at 46-49.

[18] Id. at 49, Reply.

[19] Id. at 5, Complaint.

[20] Id. at 50-53.

[21] Id. at 53, Motion for Reconsideration.

[22] Id. at 5, Complaint.

[23] Id. at 55-57.

[24] Id. at 57, Motion to Recall Subpoena ad Testificandum.

[25] Id. at 6, Complaint.

[26] Id. at 59-66, Motion to Cite Magdalena Uy in Contempt of Court.

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[27] Id. at 113-115. Penned by Presiding Judge Estefanio S. Libutan, Jr.

[28] Id. at 115, Order.

[29] Id. at 1-17.

[30] Id. at 118, Notice.

[31] Id. at 121-130.

[32] Id. at 126, Maghari's Comment.

[33] Id. at 121.

[34] Id.

[35] Id.

[36] Id. at 124.

[37] Id. at 126.

[38] Id.

[39] Republic v. Kenrick Development Corporation, 529 Phil. 876, 884 (2006) [Per J. Corona, Second Division].

[40] Bar Matter No. 1132 (2003) — Re: Request to Require Lawyers to Indicate in the Pleading their Number in the Roll of Attorneys. — The Court Resolved, upon recommendation of the Office of the Bar Confidant to GRANT the request of the Board of Governors of the Integrated Bar of the Philippines and the Sangguniang Panlalawigan of Ilocos Norte to require all lawyers to indicate their Roll of Attorneys Number in all papers and pleadings submitted to the various judicial or quasi-judicial bodies in addition to the requirement of indicating the current Professional Tax Receipt (PTR) and the IBP Official Receipt or Life Member Number.

[41] Effective August 1, 1985, all lawyers shall indicate in all pleadings, motions and papers signed and filed by them in any court in the Philippines, the number and date of their official receipt indicating payment of their annual membership dues to the Integrated Bar of the Philippines for the current year; provided, however, that such official receipt number and date for any year may be availed of and indicated in all such pleadings, motions and papers filed by them in court up to the end of the month of February of the next succeeding year.

[42] Section 139. Professional Tax. -

. . . .

(e) Any person subject to the professional tax shall write in deeds, receipts, prescriptions, reports, books of account, plans and designs, surveys and maps, as the case may be, the number of the official receipt issued to him.

[43] Re: Number and Date of MCLE Certificate of Completion/Exemption Required in All Pleadings/Motions (2008).

[44] A.M. No. 07-6-5-SC (2007) — Re: Statement of Contact Details of Parties or Their Counsels in All Papers and Pleadings Filed with the Supreme Court. — Acting on the Memorandum dated May 28, 2007 of Clerk of Court Ma. Luisa D. Villarama submitting for consideration and approval of the Court the proposal "that parties or their counsels be required to indicate in all their pleadings filed before this Court their contact details, e.g., telephone number, fax number, cellular phone number or e-mail address, in addition to the requirement of indicating the counsel's current Professional Tax Receipt (PTR) number, IBP Official Receipt or Life Member number and Roll of Attorneys number as mandated in Bar Matter No. 1132.

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[45] N.b., signing the Roll of Attorneys is the final definitive act that qualifies one as a member of the Philippine bar.

[46] 683 Phil. 141, 175 (2012) [Per J. Brion, En Banc].

[47] Bar Matter No. 850 (2001), Rule 1, sec. 1.

[48] 134 Phil. 747 (1968) [Per J. Sanchez, En Banc].

[49] Id. at 754.

[50] Rollo, p. 29.

[51] Id. at 35.

[52] Id. at 49.

[53] Id. at 53.

[54] Id. at 55-58.

[55] A.C.No. 2200, July 19, 1990, 187 SCRA 607 [Per Curiam. En Banc]

[56] Id. at 610.

[57] Rules of Court, Rule 131, sec. 3(e).

[58] A.C. No. 10286, April 7, 2014 [Unsigned Resolution, Third Division]

[59] Id.

[60] 366 Phil. 132 (1999) [Per Curiam, En Banc].

[61] Id. at 152.

[62] 366 Phil. 155 (1999) [Per C.J. Davide, Jr., En Banc].

[63] 350 Phil. 889 (1998) [Per J. Panganiban, En Banc].

[64] Rollo, p. 126.

[65] Ventura v. Samson, A.C. No. 9608, November 27, 2012, 686 SCRA 430, 433 [Per Curiam, En Banc].

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