

IN RE: ADMINISTRATIVE CASE AGAINST ATTY. CARLOS C. RUSIANA OF CEBU CITY.*A.C. No. 270. March 29, 1974*

Ponente: ANTONIO, J.

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On May 29, 1959, the Court, finding that respondent Atty. Carlos C. Rusiana, who was admitted to the Philippine Bar on January 21, 1955, committed acts of misconduct as a notary public and "has exhibited such a frame of mind and observed such a norm of conduct as is unworthy of a member of the legal profession," ordered his disbarment.

Respondent has intermittently filed with this Court petitions for re-admission, supported by resolutions from members of the Bench and Bar, labor unions, newspaper editors and reporters, members of professional and civic organizations of the Province of Cebu, attesting to respondent's good conduct and moral character since his disbarment, and petitioning for his reinstatement to the legal profession.

The sole object of the Court upon an application for reinstatement to practice, by one previously disbarred, is to determine whether or not the applicant has satisfied and convinced the Court by positive evidence that the effort he has made toward the rehabilitation of his character has been successful, and, therefore, he is entitled to be re-admitted to a profession which is intrinsically an office of trust.

The earlier petitions filed by respondent were denied. On June 13, 1972, he filed a verified petition for reinstatement, submitting proofs of his honesty and integrity and other indications of his good moral character (clearances from the City Courts and Court of First Instance of Cebu, Police Department of Cebu City, testimonials on his character by fiscals, lawyers, Judges of City Courts and of the Court of First Instance, resolutions of the Cebu Lions Club, Sto. Rosario Council No. 5508 of the Knights of Columbus, Bar Association of Cebu, Cebu Lawyers League, Inc.), and after the hearing on the petition for reinstatement on July 18, 1972, the Court issued a resolution on July 20, 1972, to wit:

"x x x [A] cling on the respondent's prayer for reinstatement as a member of the Philippine Bar, and considering (a) that respondent movant had been disbarred as of May 29, 1959; (b) that since then the said respondent may be considered as having undergone adequate punishment; (c) that he has observed exemplary conduct since then, according to credible certifications attesting to his repentance for the offense committed by him thirteen (13) years ago, and may be reasonably expected to scrupulously observe the Canons of Legal Ethics in the future; (d) but that, in view of the numerous changes in the law since 1959, respondent movant should offer some guarantee of his ability to render adequate service to his prospective clients; the Court resolved that respondent movant Carlos C. Rusiana be, as he is hereby required, to enroll in, and pass, regular fourth year review classes in a recognized law school, and that upon his filing with the Clerk of this Court of sworn certificates by the individual professors of the review classes attesting to his having regularly attended and passed their subjects, under the same conditions as ordinary students said movant Carlos C. Rusiana be readmitted as a member of the Philippine Bar, upon his taking anew the lawyer's oath and signing the Roll of

Attorneys in the custody of the Clerk of this Supreme Court."

Respondent has already complied with the requirements contained in the Court's above-quoted resolution, as evidenced by the sworn certificates by the individual professors of the review classes attended by him attesting to his having regularly attended and passed their subjects under the same conditions as ordinary students, and the separate letters, both dated February 25, 1974, of the Registrar and the Dean of the Gullas Law School, of the University of the Visayas, addressed to Atty. Luis Garcia, this Court's Deputy Clerk of Court and Acting Bar Confidant, confirming the truth of the professors' statements.

WHEREFORE, conformably with the Court's resolution dated July 20, 1972, respondent Carlos C. Rusiana is hereby allowed to take anew the lawyer's oath and sign the Roll of Attorneys after paying to this Court the requisite fees.

Makalintal, C.J., Zaldivar, Ruiz Castro, Fernando, Teehankee, Barredo, Makasiar, Esguerra, Fernandez, Muñoz Palma and Aquino, JJ., concur.

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