

JUANITO L. HAW TAY, COMPLAINANT, VS. ATTY. EDUARDO SINGAYAO, RESPONDENT.*A.C. No. 3153. May 17, 1988*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-c-no-3153/>**PER CURIAM:**

In a per curiam Resolution of this Court dated 17 September 1987, the Court found respondent Judge guilty of serious misconduct in office and of ignorance of the law and consequently "[made] clear that had respondent Judge's resignation not been accepted by the President, respondent Judge would be dismissed from the service forthwith." In addition, the Court declared respondent "disqualified from re-employment in any position in any branch, agency or instrumentality of the government, or government-owned or controlled corporation, and as having forfeited all his accrued retirement benefits, leave and other privileges, if any."

In the same Resolution, the Court also resolved to require respondent to show cause why he should not be disbarred for the acts of which he had been found guilty.

In his Comment and Show Cause Compliance dated 23 December 1987, respondent Atty. Singayao prayed for an "investigation -- conducted in accordance with Rule 139 of the Revised Rules of Court and that respondent be allowed an opportunity to adduce evidence on his behalf." In the same pleading, respondent Singayao stated that he "had passively allowed the investigation of said case to proceed without his presence," because of "[his] financial difficulty and involvement in the May 11, 1987 elections," as well as his "skepticism following the announcement of the last reorganization which removed him from the judiciary" and his feeling that "everything was academic."

By a Resolution dated 26 January 1988, the Court resolved to require the respondent attorney to submit to this Court any evidence and statements he may wish the Court to consider in respect of the charge for disbarment. The Court did so even though the facts on the basis of which respondent was found guilty of serious misconduct and of ignorance of the law had been fully established in the course of the investigation conducted by Mr. Justice Eduardo R. Bengzon of the Court of Appeals. The investigating Justice repeatedly reset the hearings to give respondent Judge ample opportunity to submit any evidence he had to traverse the charges against him. After it had become completely clear that respondent would not appear, Mr. Justice Bengzon required affirmative proof from the complainant, which was in due time, submitted, heard and evaluated. The investigation, report and recommendation carried out and submitted by Mr. Justice Bengzon, upon designation of this Court, is an entirely adequate substitute for the referral to the Solicitor General for investigation, report and recommendation, envisaged in Rule 139 of the Revised Rules of Court. In any case, in his Compliance, dated 20 February 1988, respondent attorney failed to submit any evidence controverting the evidence received and relied upon by the investigating Justice.

Upon the other hand, respondent submitted to this Court as attachments to his Compliance numerous certifications issued by government officials and heads of religious and civic organizations, including: (a) a certification issued by Mr. Paulino A. Randing, Chief, Cultural Affairs Division of the Aromanon Manobo Professionals Associations to the effect that respondent is the only lawyer in the entire Aromanon Manobo tribe; (b) statement or certification

of the members of the Aromanon Group indicating their trust in respondent whom they apparently regard as a leader and protector; and (c) a certification issued by the Municipal Mayor of Libungan, Cotabato, also stating that respondent is an acknowledged leader of and the only lawyer in the Aromanon Manobo tribe. The rest of the certifications submitted by respondent are, as may be expected, testimonials laudatory of the respondent, which are obviously of peripheral relevance.

It is entirely clear to this Court that the acts of which the respondent Singayao was found guilty constitute sufficient basis for disbaring the respondent on grounds of serious misconduct or conduct unbecoming a Member of the Bar.^[1] Ordinarily, therefore, the Court would simply disbar the respondent.

In the present case, however, the Court believes that it is justified in taking into account the circumstance that respondent is a member of a little known and probably poorly developed indigenous cultural community and apparently the only member of that group who had achieved membership in the Philippine Bar. Respondent has also apparently been accorded some degree of leadership status within this indigenous cultural group. The Court is reluctant to deprive that ethnic grouping completely of any representation in the Philippine Bar and, therefore, out of consideration for his tribal group (rather than for his own sake) is prepared to give respondent an opportunity to redeem himself and prove himself worthy once again to enjoy the privileges of membership of the Bar. This rehabilitation, however, must be done outside the brotherhood of law he has dishonored and to which he will be allowed to return only after he has purged himself of his misconduct:^[2] by, among other things, rendering significant service to his own tribe and consistently and substantially contributing to the social and economic development of that tribe and especially of its poorer and illiterate members.

ACCORDINGLY, respondent Singayao is hereby indefinitely SUSPENDED as a Member of the Philippine Bar and is PROHIBITED from engaging in the practice of law, until otherwise ordered by this Court. This Resolution shall be spread in his personal record and is immediately executory.

SO ORDERED.

Yap, C.J., Fernan, Narvasa, Melencio-Herrera, Gutierrez, Jr., Cruz, Paras, Feliciano, Gancayco, Padilla, Bidin, Sarmiento, Cortes, Griño-Aquino, and Medialdea, JJ., concur.

[1] E.g., *Bautista v. Judge Guevarra*, A.M. No. 21278-MJ, 142 SCRA 632 (1986); *Court Administrator v. Rodolfo G. Hermoso, etc., et al.*; *Lilia Cabrera Ang v. Rodolfo G. Hermoso, etc.*, 150 SCRA 269 (1987).

[2] G.R. No. 78926 *In the Matter of Proceedings for Disciplinary Action against Atty. Ponciano B. Jacinto, etc.*, 6 April 1988.

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