

IN RE: VICENTE Y. BAYANI

A.C. No. 5307. August 09, 2000

Ponente: PARDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-c-no-5307/>

PARDO, J.:

The case before us arose when Atty. Vicente Y. Bayani failed to submit proof of service of the appellant's brief on the Solicitor General in G.R. No. 115079[1] and the consequent inability of the latter to file the appellee's brief.

On August 09, 1999, the Supreme Court referred Atty. Bayani's failure to submit the procedural requirement to the Integrated Bar of the Philippines for investigation, report and recommendation.[2]

On September 27, 1999, IBP Commissioner Victoria Gonzalez-De Los Reyes sent a letter to Atty. Bayani requiring him to submit his comment within five (5) days from receipt of the letter.[3]

However, the letter was returned to the IBP with the notation "Return to Sender-Moved." [4]

Thus, in her report and recommendation dated January 25, 2000, Commissioner Gonzalez-De Los Reyes recommended Atty. Bayani's suspension as follows:

"IN VIEW OF THE FOREGOING, the undersigned Commissioner recommends that Atty. Vicente Bayani, for his violation of Rule 18.03 of the Canon 18 of the Code of Professional Responsibility, be **SUSPENDED** from the practice of the law profession for a period of three (3) months and until the time he complies with the Order of the Supreme Court." [5]

On March 18, 2000, the Board of Governors of the Integrated Bar of the Philippines issued a resolution adopting and approving the report and recommendation of the investigating commissioner.[6]

We concur.

A lawyer shall not neglect a legal matter entrusted to him as his negligence in connection therewith shall render him liable.[7]

Atty. Bayani's failure to submit proof of service of appellant's brief on the Solicitor General in G. R. No. 115079 and his failure to submit the required comment manifest willful disobedience to the lawful orders of the Supreme Court, a clear violation of the canons of professional ethics.

It appears that Atty. Bayani has fallen short of the circumspection required of a member of the Bar. A counsel must always remember that his actions or omissions are binding on his clients.[8] A lawyer owes his client the exercise of utmost prudence and capability in that representation.

Further, lawyers are expected to be acquainted with the rudiments of law and legal procedure, and anyone who deals with them has the right to expect not just a good amount of professional learning and competence but also a whole-hearted fealty to his client's cause.[9]

WHEREFORE, the Court finds Atty. Vicente Y. Bayani remiss in his sworn duty to his client, to the Court and the Bar. He is thus **SUSPENDED** from the practice of law for a period of three (3) months and until the time he complies with the Order of the Supreme Court to submit the required proof of service in G. R. No. 115079.

Let a copy of this decision be entered in the personal records of respondent as an attorney and as a member of the Integrated Bar, and furnish the Bar Confidant, the Integrated Bar of the Philippines, with copies thereof and the Court Administrator for circulation to all courts in the country.

SO ORDERED.

Davide, Jr., C.J., Melo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Quisumbing, Purisima, Buena, Gonzaga-Reyes, Ynares-Santiago, and De Leon, Jr., JJ., concur.

Bellosillo, J., abroad on official business.

[1] Entitled, *People of the Philippines vs. Francisco Albior*.

[2] Rollo, p. 2.

[3] Rollo, p. 1.

[4] Rollo, p. 5.

[5] In CBD Case No. 00-689, Rollo, pp. 8-10.

[6] Rollo, p. 7.

[7] Rule 18.03, Canon of Professional Responsibility; *Villaluz vs. Armenta*, 285 SCRA 1 (1998)

[8] *Torres vs. Orden*, A.C. No. 4646, April 6, 2000, citing *Gerard vs. NLRC*, 187 SCRA 701 (1990); *Diaz-Duarte vs. Ong*, 298 SCRA 388 (1998); *Kalubiran vs. Court of Appeals*, 300 SCRA 320 (1998); *Velasquez vs. Court of Appeals*, 309 SCRA 539 (1999).

[9] *Torres vs. Orden*, supra, citing *Vda. De Alisbo vs. Jalandoni, Sr.* 199 SCRA 321 (1991).

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.