

SAN JOSE HOMEOWNERS ASSOCIATION, INC. AS REPRESENTED BY REBECCA V. LABRADOR, COMPLAINANT, VS. ATTY. ROBERTO B. ROMANILLOS, RESPONDENT.

A.C. No. 5580. July 31, 2018

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PER CURIAM:

For resolution is the Letter^[1] dated April 21, 2014, filed by respondent Atty. Roberto B. Romanillos who seeks judicial clemency in order to be reinstated in the Roll of Attorneys.

Records show that respondent was administratively charged by complainant San Jose Homeowners Association, Inc. for representing conflicting interests and for using the title "Judge"^[2] despite having been found guilty of grave and serious misconduct in the consolidated cases of Zarate v. Judge Romanillos.^[3]

The factual and legal antecedents are as follows:

In 1985, respondent represented San Jose Homeowners Association, Inc. (SJHAI) before the Human Settlements Regulation Commission (HSRC) in a case[, docketed as HSRC Case No. REM-021082-0822 (NHA-80-309),] against Durano and Corp., Inc. (DCI) for violation of the Subdivision and Condominium Buyer's Protection Act (P.D. No. 957). SJHAI alleged that Lot No. 224 was designated as a school site in the subdivision plan that DCI submitted to the Bureau of Lands in 1961 but was sold by DCI to spouses Ramon and Beatriz Durano without disclosing it as a school site.

While still the counsel for SJHAI, respondent represented Myrna and Antonio Montealegre in requesting for SJHAI's conformity to construct a school building on Lot No. 224 to be purchased from Durano.

When the request was denied, respondent applied for clearance before the Housing and Land Use Regulatory Board (HLURB) in behalf of Montealegre. Petitioner's Board of Directors terminated respondent's services as counsel and engaged another lawyer to represent the association.

Respondent also acted as counsel for Lydia Durano-Rodriguez who substituted for DCI in Civil Case No. 18014 entitled "San Jose Homeowners, Inc. v. Durano and Corp., Inc." filed before the Regional Trial Court of Makati City, Branch 134. Thus, SJHAI filed a disbarment case against respondent for representing conflicting interests, docketed as Administrative Case No. 4783.

In her Report dated August 3, 1998, Investigating Commissioner Lydia A. Navarro of the Commission on Bar Discipline of the Integrated Bar of the Philippines (IBP) made the following findings:

... Respondent failed to observe [the] candor and fairness in dealing with his clients, knowing fully well that the Montealegre case was adverse to the Complainant wherein he had previously been not only an active board member but its corporate secretary having access to all its documents confidential or otherwise and its counsel in handling the implementation of the writ of execution against its developer and owner, Durano and Co.,] Inc.

Moreso, when Respondent acted as counsel for the substituted defendant Durano and Co.,] Inc., Lydia Durano-Rodriguez; the conflict of interest between the latter and the Complainant became so revealing and yet

Respondent proceeded to represent the former.

...

For his defense of good faith in doing so; inasmuch as the same wasn't controverted by the Complainant which was his first offense; Respondent must be given the benefit of the doubt to rectify his error subject to the condition that should he commit the same in the future; severe penalty will be imposed upon him.[4]

The Investigating Commissioner recommended the dismissal of the complaint with the admonition that respondent should observe extra care and diligence in the practice of his profession to uphold the dignity and integrity beyond reproach.

The IBP Board of Governors adopted and approved the report and recommendation of the Investigating Commissioner, which [the Court] noted in [its] [R]esolution dated March 8, 1999.

Notwithstanding the admonition, respondent continued representing Lydia Durano-Rodriguez before the Court of Appeals[5] and the Court[6] and even moved for the execution of the decision.

Thus, a second disbarment case was filed against respondent for violation of the March 8, 1999 Resolution in A.C. No. 4783 and for his alleged deceitful conduct in using the title "Judge" although he was found guilty of grave and serious misconduct.

Respondent used the title "Judge" in his office letterhead, correspondences and billboards which was erected in several areas within the San Jose Subdivision sometime in October 2001.

In his Comment and Explanation,[7] respondent claimed that he continued to represent Lydia Durano-Rodriguez against petitioner despite the March 8, 1999 Resolution because it was still pending when the second disbarment case was filed. He maintained that the instant petition is a rehash of the first disbarment case from which he was exonerated. Concerning the title "Judge,]" respondent stated that since the filing of the instant petition, he had ceased to attach the title to his name.[8] (Italics supplied)

In a Decision[9] dated June 15, 2005, the Court found merit in the complaint, and thus, held respondent guilty of violating the lawyer's oath, as well as Rule 1.01, 3.01 and 15.03 of the Code of Professional Responsibility, resulting in his disbarment from the practice of law:

WHEREFORE, respondent Atty. Roberto B. Romanillos is DISBARRED and his name is ORDERED STRICKEN from the Roll of Attorneys. Let a copy of this Decision be entered in respondent's record as a member of the Bar, and notice of the same be served on the Integrated Bar of the Philippines, and on the Office of the Court Administrator for circulation to all courts in the country.

SO ORDERED.[10] (Emphasis in the original)

The Court En Banc ruled in this wise:

It is inconsequential that petitioner never questioned the propriety of respondent's continued representation of Lydia Durano--Rodriguez. The lack of opposition does not mean tacit consent. As long as the lawyer represents inconsistent interests of two (2) or more opposing clients, he is guilty of violating his oath. Rule 15.03 of the Code of Professional Responsibility specifically mandates that a lawyer shall not represent conflicting interests except by written consent of all concerned given after a full disclosure. Incidentally, it is also misleading for respondent to insist that he was exonerated in A.C. No. 4783.

We agree with the IBP that respondent's continued use of the title "Judge" violated Rules 1.01 and 3.01 of the Code of Professional Responsibility prohibiting a lawyer from engaging in deceitful conduct and from using any misleading statement or claim regarding qualifications or legal services. The quasi-judicial notice he

posted in the billboards referring to himself as a judge is deceiving. It was a clear attempt to mislead the public into believing that the order was issued in his capacity as a judge when he was dishonorably stripped of the privilege.

Respondent did not honorably retire from the judiciary. He resigned from being a judge during the pendency of *Zarate v. Judge Romanillos*, where he was eventually found guilty of grave and serious misconduct and would have been dismissed from the service had he not resigned.

In that case, respondent was found guilty of illegal solicitation and receipt of P10,000.00 from a party litigant. We ruled thus:

Considering the foregoing, respondent Judge Roberto B. Romanillos is hereby found guilty of grave and serious misconduct affecting his integrity and honesty. He deserves the supreme penalty of dismissal. However, respondent, in an obvious attempt to escape punishment for his misdeeds, tendered his resignation during the pendency of this case. ... Consequently, we are now precluded from dismissing respondent from the service. Nevertheless, the ruling in *People v. Valenzuela* (135 SCRA 712 [1985]), wherein the respondent judge likewise resigned before the case could be resolved, finds application in this case. Therein it was held that the rule that the resignation or retirement of a respondent judge in an administrative case renders the case moot and academic, is not a hard and fast rule. ...

ACCORDINGLY, in view of our aforestated finding that respondent Judge Romanillos is guilty of grave and serious misconduct which would have warranted his dismissal from the service had he not resigned during the pendency of this case, and it appearing that respondent has yet to apply for his retirement benefits and other privileges if any; the Court, consistent with the penalties imposed in *Valenzuela* (supra), hereby orders the FORFEITURE of all leave and retirement benefits and privileges to which herein respondent Judge Romanillos may be entitled WITH PREJUDICE to reinstatement and/or reemployment in any branch or instrumentality of government, including government-owned or controlled agencies or corporations.

SO ORDERED.[11]

The penalty imposed upon him in said case included forfeiture of all leave and retirement benefits and privileges to which he may be entitled with prejudice to reinstatement and/or reemployment in any branch or instrumentality of government, including government-owned or controlled agencies or corporations. Certainly, the use of the title "Judge" is one of such privileges.

x x x x

This is not respondent's first infraction as an officer of the court and a member of the legal profession. He was stripped of his retirement benefits and other privileges in *Zarate v. Judge Romanillos*.^[12] In A.C. No. 4783, he got off lightly with just an admonition. Considering his previous infractions, respondent should have adhered to the tenets of his profession with extra fervor and vigilance. He did not. On the contrary, he manifested undue disrespect to our mandate and exhibited a propensity to violate the laws. He is thus unfit to discharge the duties of his office and unworthy of the trust and confidence reposed on him as an officer of the court. His disbarment is consequently warranted.^[13] (Additional emphasis and italics supplied)

Aggrieved, respondent filed on July 16, 2005 a Motion for Reconsideration and/or Plea for Human Compassion,^[14] praying that the penalty imposed be reduced from disbarment to suspension for three (3) to six (6) months. The Court denied the aforesaid Motion for Reconsideration in a Resolution^[15] dated August 23, 2005.

On April 16, 2006, respondent wrote a letter^[16] addressed to the Chief Justice and the Associate Justices of the Court, begging that compassion, mercy, and understanding be bestowed upon him by the Court and that his disbarment be lifted. The same was, however, denied in a Resolution^[17] dated June 20, 2006.

Unperturbed, respondent wrote letters dated June 12, 2007[18] and January 17, 2010[19] addressed to the Court, praying for the Court's understanding, kindness and compassion to grant his reinstatement as a lawyer. The aforementioned letters were denied for lack of merit in Resolutions dated August 14, 2007[20] and May 31, 2011[21] respectively.

Almost nine (9) years from his disbarment, or on April 21, 2014, respondent filed the instant Letter once more praying for the Court to reinstate him in the Roll of Attorneys.

In a Resolution[22] dated June 25, 2014, the Court referred the aforementioned letter to the Office of the Bar Confidant (OBC) for evaluation, report and recommendation thereon within thirty (30) days from notice hereof.

Acting on the Report and Recommendation[23] dated November 18, 2016 submitted by the OBC, the Court, in a Resolution[24] dated January 10, 2017, directed respondent to show proof that he is worthy of being reinstated to the Philippine Bar by submitting pieces of documentary and/or testimonial evidence, including but not limited to letters and attestations from reputable members of the society, all vouching for his good moral character.

In compliance with the Court's Resolution dated January 10, 2017, respondent submitted forty (40) letters from people, all vouching for his good moral character:

Name

Date of Letter

Relationship to respondent

Testimony/ies in favor of respondent

1) Jaime B. Trinidad

March 7, 2017[25]

Friend

Respondent is a person of good moral character since 1990.

2) Teodoro Adriatico Dominguez

(Marketing Director, Philippines & Sea Ayerst Philippines, Ayerst International; Director, Senior Citizens Assn. of Bgy. BF; Past Coordinator, Member of the Lay Ministers Resurrection of Our Lord Parish, BFHP; Past Grand Knight, F. Navigator, Dist. Deputy Knights of Columbus Council 7147; U.P. Pan Xenia; and UTOPIA, Ateneo)

March 9, 2017[26]

Tennis buddy

Respondent is kind, friendly, very approachable, quick to help with free legal advice/counsel.

3) Carolina L. Nielsen

March 20, 2017[27]

Neighbor

Respondent graciously rendered free legal advice to her and her family.

4) Arnaldo C. Cuasay

Undated[28]

Brother-in-law

After his disbarment, respondent dedicated his life to taking care of his sick wife, who eventually died a few years after.

Respondent also provided support to his children's education and other needs as well as helping relatives and friends. Respondent also provided community services in Muntinlupa and his hometown in Cebu.

5) Atty. Manuel Lasema, Jr.

(Founder, Former Chairman and President, Las Piñas City Bar Association, Inc.; Former Director, Secretary and Vice President, IBP PPLLM Chapter; Former Professor of Law, FEU Institute of Law; Third Placer, 1984 Bar Examinations; and Partner, Lasema Cueva-Mercader Law Offices)

March 28, 2017[29]

Colleague

Respondent served as a former president of the Las Piñas City Bar Association.

Respondent implemented various seminars, dialogues and other Bar activities.

6) Patricia C. Sison and Marie Louise Kahn Magsaysay

(Chairman) and President, Philippine Ballet Theatre, Inc. (PBT)

Undated Statement[30]

Clients

Respondent is the adviser of the PBT. Respondent advised PBT Board members regarding urgent problems affecting company operations.

Respondent also provided PBT with appropriate guidelines regarding the manner in which they should conduct their duties affecting PBT's legal and financial obligations.

7) Francisco C. Cornejo

(President, U.P. Alumni Association)

March 24, 2017[31]

Friend

Respondent is a person of good moral character, especially in his business dealings.

8) Dr. Artemio I. Panganiban, Jr.

(President, Professional Academy of the Philippines)

March 9, 2017[32]

Friend

Respondent is a person of good moral character since 1968.

9) Dean Dionisio G. Magpantay

(Chairman and President, Asian+ Council of Leaders, Administrators, Deans and Educators in Business)

March 20, 2017[33]

Colleague

Respondent and Magpantay served together in the Federation of Homeowners Association Executive Board in the mid and end of the 1990s, and in their Church and community service with the Knights of Columbus in mid 2000, until the present.

10) Maximo A. Ricohermoso

(President, Rotary Club of Mandaue North; and Chairman, Seaweed Industry Association of the Philippines, Inc.)

March 10, 2017[34]

Colleague

Respondent is a fellow Rotarian at the Rotary Club of Mandaue North, Mandaue City, Cebu, since the early 1980s.

11) Arsenio M. Bartolome III

(First Chairman/President, Bases Conversion Development Authority; and Former President, Philippine National Bank)

March 8, 2017[35]

Colleague

Respondent helps his PWD brother-in-law, Mr. Manuel H. Reyes, in his business transactions.

12) Rodigilio M. Oriino

(Former President, Rotary Club of Uptown Manila)

March 13, 2017[36]

Co-employee

Respondent was his co-employee in the Legal Department of FNCB Finance.

Respondent has not done any wrong doing that will affect his good moral character and profession as a lawyer.

13) Epimaco M. Densing, Jr.

(Former Chapter President, Philippine Institute of Certified Public Accountants, Cagayan de Oro Chapter; Charter Chapter President, Government Association of CPAs, Cebu Chapter; and Former Chapter Head, Brotherhood of Christian Businessmen & Professionals, Paranaque Chapter)

Undated[37]

Friend

Respondent is a friend for over 20 years, whom he knows as a person of good moral character.

14) Mamerto A. Marcelo, Jr.

Undated[38]

Colleague

Respondent was employed as one of the lawyers in the Collection Department of FNCB Finance, of which Marcelo was then a Vice President.

Later on, Marcelo hired respondent as a legal consultant in a telecommunications company the former later worked with.

15) Atty. Eleuterio P. Ong Vaño
(Former National President, Philippine Association of Real Estate Boards, Inc.)

March 14, 2017[39]

Friend

Respondent is known to Atty. Vaño as a respectable person of good moral character.

16) Domingo L. Mapa
(President, Santos Ventura Hocorma Foundation, Inc.)

March 7, 2017[40]

Colleague

Respondent is "one with [them]"[41] in pursuing their advocacies in their scholarship program.

17) Ernesto M. Caringal
(President, Abcar International Construction Corporation)

March 7, 2017[42]

Colleague

Caringal hired respondent as Vice President for Administration of his company even after he was disbarred in 2005 because Caringal believes respondent is a person of good moral character.

18) Rolando L. Sianghio
(President, Lacto Asia Pacific Corporation)

March 14, 2017[43]

Colleague

Respondent rendered voluntary service as Adviser-Consultant of the Directors of the Habitat for Humanity and i-Homes in their programs for housing for the poor.

19) PSSupt. Marino Ravelo
(Retired PDEA Director)

March 10, 2017[44]

Business Partner

Respondent is Ravelo's business partner in the sourcing and supply of nickel and chromite raw ores from Zambales to their local customers.

Respondent has never been involved in any shady business deals.

20) Atty. Tranquilino R. Gale
(Legal Counselor & Consultant)

March 14, 2017[45]

Former partner in law firm

Respondent was the former law firm partner of Atty. Gale, prior to respondent's appointment as RTC judge.

Respondent is honest and of good moral character in his public and private dealings even after he was disbarred.

21) Godofredo D. Asunto

(President, Waterfun Condominium Bldg. 1 Inc. (Homeowners Association); and Retired Bank Executive)

March 8, 2017[46]

Colleague

Asunto availed of respondent's legal services in resolving his collection cases.

22) Rosalind E. Hagedorn

March 9, 2017[47]

Colleague

In view of his good values to the profession, Respondent was recommended by Hagedorn to act as legal counsel of her valued clients and friends.

23) Antonio A. Navarro III

March 9, 2017[48]

Friend

Respondent was known to Navarro as a person of good moral character since 1988 up to the present.

24) Peter A. Yap

March 10, 2017[49]

Community

Friend

Respondent was known to Yap as a person of good moral character since 1975 up to the present.

25) Teodora S. Ocampo

(Professor, De La Salle University)

March 12, 2017[50]

Colleague

Respondent worked with Ocampo in a power project installation in 2000.

Sender claims she found respondent to be an ethical, trustworthy and a person of high integrity.

26) Valentin T. Banda

(Retired Bank Officer, Philippine Veterans Bank)

March 12, 2017[51]

Friend

Respondent's disbarment has turned him into a new person.

27) Atty. Samuel A. Nuñez

March 13, 2017[52]

Friend

Respondent has been active in the community affairs while staying in Cebu.

28) Atty. Ramon C. Gonzaga, Jr.

March 18, 2017[53]

Former partner in law firm

Atty. Gonzaga, Jr., stated that he has not heard that respondent was involved in any charge or complaint, morally or otherwise, even after he was disbarred.

29) Efren Z. Palugod
(Chairman Plaza Loans Corporation)

March 8, 2017[54]

Friend

Respondent is of good moral character.

Respondent stayed in touch with Palugod whenever respondent would go to Cebu every now and then for his coal supply business.

30) Rodolfo G. Pelayo
(Chairman, Power & Synergy, Inc.)

March 7, 2017[55]

Colleague

Despite being disbarred, respondent involved himself in worthwhile activities as senior citizen and offered his services as business consultant to their company, Power & Synergy, Inc. and friends.

31) Sol Owen G. Figue

Undated[56]

Friend

Respondent should be reinstated as a lawyer again in order for him to "continue his [G]ood Samaritan work to the common people that seeks justice and guidance in times of trouble and grief." [57]

32) Col. Jose Ely D. Alberto GSC (INF)
(Internal Auditor, Philippine Army)

March 24,
2017[58]

Acquaintance

Respondent was known to Navarro as a person of good moral character since 2000 up to the present.

33) Atty. Albert L. Hontanosas

March 8, 2017[59]

Friend

Respondent has integrity, independence, industry and diligence.

Respondent should be given a second chance to serve the Filipino masses as a bonafide member of the Philippine Bar.

34) Antonio E. De Borja

(Former Councilor, Baliwag, Bulacan; and President, Early Riser Assembly, Baliwag, Bulacan)

March 17, 2017[60]

Friend

Respondent provides free legal assistance to the poor, who were victims of injustice, through his son who is also a lawyer.

35) Tomas Barba Tan

(President, Cebu Adconsultants, Inc.)

March 9, 2017[61]

Client

Respondent is a person of good moral character.

36) Engr. Daniel D. Villacarlos

(Operations Manager, Hi-Tri Development Corp.)

March 11, 2017[62]

Friend

Respondent is very dependable, fair and a very respectable person both on the tennis courts in Paranaque City where they are both members until now and inside the court of law when he was still active as an excellent and reputable lawyer.

Respondent's conduct of sportsmanship in BF Homes Tennis Club and as a person is exemplary.

37) Roy Bufi

(President, The Bas Corporation)

March 9, 2017[63]

Friend

Respondent is known to Bufi as kind, generous and is very professional when it comes to work.

38) Remigio R. Viola

(Retired Municipal Administrator, Municipality of Baliwag, Bulacan)

March 13, 2017[64]

Former colleague

Respondent is his business consultant because respondent is known to Viola for being a community leader.

39) Leonardo U. Lindo

March 20, 2017[65]

Friend

Respondent is a strong supporter of their social and civic activities to provide free medical services to the less fortunate members of the society.

40) Felipe De Sagun

Undated[66]

Friend

In 2003, respondent handled their case against Metrobank and won the case for them.

Respondent is trustworthy, reliable and honest.

The Court's Ruling

The Court denies the present appeal.

Membership in the Bar is a privilege burdened with conditions.[67] It is not a natural, absolute or constitutional right granted to everyone who demands it, but rather, a special privilege granted and continued only to those who demonstrate special fitness in intellectual attainment and in moral character.[68] The same reasoning applies to reinstatement of a disbarred lawyer. When exercising its inherent power to grant reinstatement, the Court should see to it that only those who establish their present moral fitness and knowledge of the law will be readmitted to the Bar. Thus, though the doors to the practice of law are never permanently closed on a disbarred attorney, the Court owes a duty to the legal profession as well as to the general public to ensure that if the doors are opened, it is done so only as a matter of justice.[69]

The basic inquiry in a petition for reinstatement to the practice of law is whether the lawyer has sufficiently rehabilitated himself or herself in conduct and character. The lawyer has to demonstrate and prove by clear and convincing evidence that he or she is again worthy of membership in the Bar. The Court will take into consideration his or her character and standing prior to the disbarment, the nature and character of the charge/s for which he or she was disbarred, his or her conduct subsequent to the disbarment, and the time that has elapsed in between the disbarment and the application for reinstatement.[70]

Clemency, as an act of mercy removing any disqualification, should be balanced with the preservation of public confidence in the courts. The Court will grant it only if there is a showing that it is merited. Proof of reformation and a showing of potential and promise are indispensable.[71]

The principle which should hold true not only for judges but also for lawyers, being officers of the court, is that judicial "[c]lemency, as an act of mercy removing any disqualification, should be balanced with the preservation of public confidence in the courts. [Thus,] [t]he Court will grant it only if there is a showing that it is merited. Proof of reformation and a showing of potential and promise are indispensable." [72]

In the case of *Re: Letter of Judge Augustus C. Diaz, Metropolitan Trial Court of Quezon City, Branch 37, Appealing for Judicial Clemency*, [73] the Court laid down the following guidelines in resolving requests for

judicial clemency, to wit:

- There must be proof of remorse and reformation.[74] These shall include but should not be limited to certifications or testimonials of the officer(s) or chapter(s) of the Integrated Bar of the Philippines, judges or judges associations and prominent members of the community with proven integrity and probity. A subsequent finding of guilt in an administrative case for the same or similar misconduct will give rise to a strong presumption of non-reformation.
- Sufficient time must have lapsed from the imposition of the penalty[75] to ensure a period of reform.
- The age of the person asking for clemency must show that he still has productive years ahead of him that can be put to good use by giving him a chance to redeem himself.[76]
- There must be a showing of promise[77] (such as intellectual aptitude, learning or legal acumen or contribution to legal scholarship and the development of the legal system or administrative and other relevant skills), as well as potential for public service.[78]
- There must be other relevant factors and circumstances that may justify clemency.

In the case of *Bernardo v. Atty. Mejia*,^[79] the Court, in deciding whether or not to reinstate Atty. Mejia, considered that 15 years had already elapsed from the time he was disbarred, which gave him sufficient time to acknowledge his infractions and to repent. The Court also took into account the fact that Atty. Mejia is already of advanced years, has long repented, and suffered enough. The Court also noted that he had made a significant contribution by putting up the *Mejia Law Journal* containing his religious and social writing; and the religious organization named "El Cristo Movement and Crusade on Miracle of the Heart and Mind." Furthermore, the Court considered that Atty. Mejia committed no other transgressions since he was disbarred.^[80]

In *Adez Realty, Inc. v. CA*,^[81] the Court granted the reinstatement of the disbarred lawyer (found to be guilty of intercalating a material fact in a CA decision) and considered the period of three (3) years as sufficient time to do soul-searching and to prove that he is worthy to practice law. In that case, the Court took into consideration the disbarred lawyer's sincere admission of guilty and repeated pleas for compassion.^[82]

In *Valencia v. Atty. Antiniw*,^[83] the Court reinstated Atty. Antiniw (who was found guilty of malpractice in falsifying a notarized deed of sale and subsequently introducing the document in court) after considering the long period of his disbarment (almost 15 years). The Court considered that during Atty. Antiniw's disbarment, he has been persistent in reiterating his apologies to the Court, has engaged in humanitarian and civic services, and retained an unblemished record as an elected public servant, as shown by the testimonials of the numerous civic and professional organizations, government institutions, and members of the judiciary.^[84]

In all these cases, the Court considered the conduct of the disbarred attorney before and after his disbarment, the time that had elapsed from the disbarment and the application for reinstatement, and more importantly, the disbarred attorneys' sincere realization and acknowledgment of guilt.^[85]

Here, while more than ten (10) years had already passed since his disbarment on June 15, 2005, respondent's present appeal has failed to show substantial proof of his reformation as required in the first guideline above.

The Court is not persuaded by respondent's sincerity in acknowledging his guilt. While he expressly asks for forgiveness for his transgressions in his letters to the Court, respondent continues to insist on his honest belief that there was no conflict of interest notwithstanding the Court's finding to the contrary. Respondent asserted in all his letters to the Court that:

I also did not [do] and I do not deny the fact that in the year 1985, I filed ONLY a single motion for the

issuance of an alias writ of execution on behalf of said San Jose Homeowners Association against the Durano & Co., Inc. before the HLURB in a case for completion of development under P.D. 957, and that later in the year 1996, I handled another HLURB case for the respondents Durano/Rodriguez in the said case filed by the San Jose Homeowners Association, for the declaration of the school site lot as an open space, on the basis of my firm belief that I was given a prior consent to do so by the said association, pursuant to its Board Resolution, dated March 14, 1987, a copy of which is attached and made an integral part hereof, as Annex "A" and also because of my honest belief that there was no conflict of interest situation obtaining under the circumstances, as those cases are totally unrelated [and] distinct from each other, pursuant to the jurisprudences that I had cited in my ANSWER in this disbarment case.[86] (Emphasis supplied)

Furthermore, the testimonials submitted by respondent all claim that respondent is a person of good moral character without explaining why or submitting proof in support thereof. The only ostensible proof of reformation that respondent has presented are the following:

- The Letter dated March 7, 2017 signed by Domingo L. Mapa, President of Santos Ventura Hocorma Foundation, Inc., averring that respondent is "one with [them] in pursuing [their] advocacies in [their] scholarship x x x;"[87]
- The Letter dated March 13, 2017 signed by Atty. Samuel A. Nuñez, claiming that respondent has been active in community affairs while staying in Cebu;[88]
- The undated Letter signed by Sol Owen G. Figue, humbly asking that respondent be reinstated again in order for him to "continue his [G]ood Samaritan work to the common people that seeks justice and guidance in times of trouble and grief;"[89]
- The undated Letter of Arnaldo C. Cuasay, the brother-in-law of respondent, stating that after his disbarment, respondent provided community services in Muntinlupa and in his hometown in Cebu;[90]
- The Letter dated March 14, 2017 signed by Rolando L. Sianghio, President of Lacto Asia Pacific Corporation, stating that respondent rendered voluntary service as Adviser-Consultant of the Directors of the Habitat for Humanity in their programs for housing for the poor;[91]
- The Letter dated March 17, 2017 signed by Antonio E. De Borja, a friend of respondent, where Borja claimed that respondent provides free legal assistance to the poor, who were victims of injustice, through his son who is also a lawyer;[92]
- The Letter dated March 20, 2017 signed by Leonardo U. Lindo, a friend of respondent, which stated that respondent is "[a strong supporter of their] social [and] civic activities to provide free medical services to the less fortunate members of the society;"[93]
- The Letter dated March 20, 2017 signed by Dean Dionisio G. Magpantay, Chairman and President of Asian+ Council of Leaders, Administrators, Deans and Educators in Business, stating that he personally knows respondent having served together in their church and community service with the Knights of Columbus in the mid-2000s until the present;[94] and
- The Letter dated March 20, 2017 signed by Carolina L. Nielsen, a neighbor of respondent, where she claimed that respondent "[graciously rendered free legal advice to her and her family.]"[95]

Still, aside from these bare statements, no other proof was presented to specify the actual engagements or activities by which respondent had served the members of his community or church, provided free legal assistance to the poor and supported social and civic activities to provide free medical services to the less fortunate, hence, insufficient to demonstrate any form of consistency in his supposed desire to reform.

The other testimonials which respondent submitted, particularly that of Ernesto M. Caringal, President of Abcar International Construction Corporation, who stated that "[he hired respondent as Vice President for Administration of his company even after] he was disbarred in 2005,"[96] and that of Police Senior Superintendent Marino Ravelo (Ret.), who stated that "[he is the business partner of respondent] in the sourcing and supply of nickel and chromite raw ores from Zambales to [their] local customers,"[97] all relate to respondent's means of livelihood after he was disbarred; hence, these are incompetent evidence to prove his reformation which connotes consistent improvement subsequent to his disbarment. If at all, these testimonials contradict respondent's claim that he and his family were having financial difficulties due to his disbarment, to wit:

Since then up to now, I and my family had been marginally surviving and still continue to survive, from out of the measly funds that I have been able to borrow from our relatives and my former clients (who, of course I don't expect to continue lending to me indefinitely) to whom I promised to repay my debts upon the resumption of my law practice.[98]

To add, no other evidence was presented in his appeal to demonstrate his potential for public service, or that he - now being 71 years of age - still has productive years ahead of him that can be put to good use by giving him a chance to redeem himself. Thus, the third and fourth guidelines were neither complied with.[99]

While the Court sympathizes with the predicaments of disbarred lawyers - may it be financial or reputational in cause - it stands firm in its commitment to the public to preserve the integrity and esteem of the Bar. As held in a previous case, "in considering [a lawyer's] application for reinstatement to the practice of law, the duty of the Court is to determine whether he has established moral reformation and rehabilitation, disregarding its feeling of sympathy or pity."[100]

The practice of law is a privilege, and respondent has failed to prove that he has complied with the above-discussed guidelines for reinstatement to the practice of law. The Court, therefore, denies his petition.

WHEREFORE, the instant appeal is DENIED.

SO ORDERED.

Carpio, (Senior Associate Justice), Leonardo-De Castro, Peralta, Bersamin, Del Castillo, Perlas-Bernabe, Leonen, Jardeleza, Caguioa, Martires, Tijam, Reyes, Jr., and Gesmundo, JJ., concur.
Velasco, Jr., J., No part, relation to a party.

[1] Rollo, pp. 360-362.

[2] Id. at 5, 235; italics supplied.

[3] 312 Phil. 679 (1995).

[4] Rollo, p. 20.

[5] SJHAI v. HLURB, et. al., docketed as CA-G.R. SP No. 67844, id. at 234.

[6] SJHAI v. HLURB, et. al., docketed as G.R. No. 153980, id.

[7] Rollo, pp. 31-33.

[8] Id. at 233-235.

[9] Id. at 232-241. Per Curiam Decision signed by Chief Justice Hilario G. Davide, Jr., Associate Justices Reynato S. Puno, Artemio V. Panganiban, Leonardo A. Quisumbing, Consuelo Ynares-Santiago, Angelina Sandoval-Gutierrez, Antonio T. Carpio, Ma. Alicia Austria-Martinez, Renato C. Corona, Conchita Carpio-Morales, Romeo J. Callejo, Sr., Adolfo S. Azcuna, Dante O. Tinga, Minita V. Chico-Nazario and Cancio C. Garcia.

[10] Id. at 240.

[11] Zarate v. Judge Romanillos, *supra* note 3, at 692-693.

[12] In National Bureau of Investigation v. Judge Reyes, 332 Phil. 872, 886 (2000), respondent judge therein was found guilty of bribery. He was meted the penalty of dismissal from the service and further disbarred from the practice of law.

[13] Rollo, pp. 236-239.

[14] Id. at 243-259.

[15] Id. at 260.

[16] Id. at 337-338.

[17] Id. at 340.

[18] Id. at 341-343.

[19] Id. at 346-348.

[20] Id. at 345.

[21] Id. at 357.

[22] Id. at 364.

[23] Id. at 370-371.

[24] Id. at 372.

[25] Id. at 377.

[26] Id. at 383.

[27] Id. at 386-387.

[28] Id. at 388.

[29] Id. at 389

[30] Id. at 390.

[31] Id. at 391.

[32] Id. at 392.

[33] Id. at 393.

[34] Id. at 394.

[35] Id. at 395.

[36] Id. at 396.

[37] Id. at 397.

[38] Id. at 398.

[39] Id. at 399.

[40] Id. at 401.

[41] Id.; italics supplied.

[42] Id. at 402.

[43] Id. at 403.

[44] Id. at 404.

[45] Id. at 405.

[46] Id. at 407.

[47] Id. at 409.

[48] Id. at 410.

[49] Id. at 411.

[50] Id. at 412.

[51] Id. at 413-414.

[52] Id. at 415.

[53] Id. at 416-417.

[54] Id. at 418.

[55] Id. at 419.

[56] Id. at 420.

[57] Id.; italics supplied.

[58] Id. at 421.

[59] Id. at 422.

[60] Id. at 423.

[61] Id. at 424.

[62] Id. at 425.

[63] Id. at 426.

[64] Id. at 427.

[65] Id. at 428.

[66] Id. at 429.

[67] In the Matter of the IBP Membership Dues Delinquency of Atty. Edillion, 189 Phil. 468, 473 (1980).

[68] In the Matter of the Admission to the Bar of Argosino, 316 Phil. 43, 46 (1995), citing G.A. Malcolm, Legal and Judicial Ethics (1949), at p. 13; In re Parazo, 82 Phil. 230, 242 (1948), reiterated in Tan v. Sabandal, 283 Phil. 390; 399 (1992).

[69] Que v. Atty. Revilla, Jr., 746 Phil. 406, 413 (2014), citing Scholl v. Kentucky Bar Ass'n, 213 S.W. 3d 687 (Ky. 2007).

[70] Id.

[71] Re: Letter of Judge Augustus C. Diaz, MTC-QC, Br. 37, Appealing for Judicial Clemency, 560 Phil. 1, 5 (2007).

[72] Id.

[73] Id.

[74] Id.

[75] Id.

[76] Id. at 6.

[77] Id.

[78] Id.

[79] 558 Phil. 398 (2007).

[80] Id. at 401-402.

[81] 321 Phil. 556 (1995).

[82] Id. at 560.

[83] 579 Phil. 1 (2008).

[84] Id. at 11-12.

[85] Que v. Atty. Revilla, Jr., *supra* note 69, at 415.

[86] Rollo, p. 337, see also pp. 346-347, 352-353, 360-361.

[87] Id. at 401; italics supplied.

[88] Id. at 415.

[89] Id. at 420; italics supplied.

[90] Id. at 388.

[91] Id. at 403.

[92] Id. at 423.

[93] Id. at 428; italics supplied.

[94] Id. at 393.

[95] Id. at 387; italics supplied.

[96] Id. at 402; italics supplied.

[97] Id. at 404; italics supplied.

[98] Id. at 338, see also pp. 343, 347, 353, 361.

[99] Re: In the Matter of the Petition for Reinstatement of Rolando S. Torres as a member of the Philippine Bar, 767 Phil. 676, 686 (2015).

[100] Que v. Atty. Revilla, Jr., *supra* note 69, at 417; italics supplied.

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