

DR. RAUL C. SANCHEZ, COMPLAINANT, VS. ATTY. SALUSTINO SOMOSO, RESPONDENT.

A.C. No. 6061. October 03, 2003

Ponente: VITUG, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-c-no-6061/>

VITUG, J.:

In his complaint-affidavit filed before the Commission on Bar Discipline of the Integrated Bar of the Philippines (IBP), Dr. Raul C. Sanchez, a member of the medical staff of Sta. Lucia General Hospital, stated that he was the attending physician of respondent Atty. Salustino Somoso during the latter's confinement at the hospital from 31 March to 09 April 1998. When respondent was discharged on 09 April 1998, he urged complainant that, since it was a public holiday and banks were closed that day for business, the latter be good enough to accept a check in payment of the hospital bills due complainant totalling P44,347.00. Although apprehensive at first, complainant was later persuaded, however, by respondent's plea of his being a lawyer who can be trusted as such. Complainant thus accepted two personal checks from respondent; to wit:

BANK

CHECK NO.

DATE

AMOUNT

Metrobank
(Lagro Branch)

2620115754

04/14/98

P22,347.00

Metrobank
(Lagro Branch)

2620115755

04/16/98

P22,000.00

When deposited, the checks were dishonored. Complainant immediately met with and informed respondent about

it. Respondent promised to redeem the dishonored checks in cash; he never did.

Ultimately, complainant filed a criminal complaint for estafa against respondent with the Office of the City Prosecutor of Quezon City. On 15 August 2001, the City Prosecutor issued a resolution holding that the necessary Informations for violation of Batas Pambansa Blg. 22 (BP 22) should be filed against respondent. Pursuant to the resolution, two Informations for violation of BP 22 were filed against respondent before the Metropolitan Trial Court of Quezon City. A warrant for his arrest was issued but, somehow, respondent was able to evade arrest.

Complainant in his administrative complaint submits that respondent is a disgrace to the law profession and unfit to be a member of the bar, and that he should be disbarred and his name stricken off from the Roll of Attorneys.

Pursuant to an order, dated 31 July 2002, of the Integrated Bar of the Philippines-Commission on Bar Discipline (IBP-CBD), respondent was furnished with a copy of the complaint and ordered to submit his answer within fifteen (15) days from his receipt of a copy of the complaint. Despite the receipt of the IBP-CBD order in his two given addresses, respondent failed to file his answer to the complaint. Respondent was finally declared to be in default.

In its report and recommendation, the IBP-CBD found sufficient evidence on record to substantiate the charges made by complainant against respondent and recommended that the latter be suspended from the practice of law for a period of six (6) months. In Resolution No. XV-2003-177, dated 26 April 2003, the Board of Governors of the Integrated Bar of the Philippines adopted and approved the report and recommendation of the IBP-CBD.

The Court accepts the findings and recommendation of the IBP. Clearly, respondent's action of issuing his personal checks in payment for his medical bills, knowing fully well that his account with the drawee bank has by then already been closed, constitutes a gross violation of the basic norm of integrity required of all members of the legal profession. The Code of Professional Responsibility specifically mandates that:

"Canon 1. A lawyer shall uphold the constitution, obey the laws of the land and promote respect for law and legal processes.

"Rule 1.01. A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct."

"Canon 7. A lawyer shall at all times uphold the integrity and dignity of the legal profession and support the activities of the Integrated Bar.

"Rule 7.03. A lawyer shall not engage in conduct that adversely reflects on his fitness to practice law, nor shall he, whether in public or private life, behave in a scandalous manner to the discredit of the legal profession."

The canons emphasize the high standard of honesty and fairness expected of a lawyer not only in the practice of the legal profession but also in his personal dealings as well. A lawyer must conduct himself with great propriety, and his behavior should be beyond reproach anywhere and at all times.[2]

When respondent paid, with a personal check from a bank account which he knew had already been closed, the person who attended to his medical needs and persisted in refusing to settle his due obligation despite demand, respondent exhibited an extremely low regard to his commitment to the oath he has taken when he joined his peers, seriously and irreparably tarnishing the image of the profession he should, instead, hold in high esteem. His conduct deserve nothing less than a severe disciplinary sanction.

The law profession is a noble calling, and the privilege to practice it is bestowed only upon individuals who are competent and fit to exercise it.[3]

WHEREFORE, the Court finds respondent Atty. Salustino Somoso GUILTY of misconduct, and he is ordered suspended from the practice of law for a period of six (6) months effective from receipt of this decision, with a

warning that any further infraction by him shall be dealt with most severely.

Let copies of this Decision be furnished to all courts, as well as the Integrated Bar of the Philippines, and to the Office of the Bar Confidant.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Ynares-Santiago, Carpio, and Azcuna, JJ., concur.

[1] Rollo, p. 11.

[2] De Ere vs. Rubi, 320 SCRA 617.

[3] Resurreccion vs. Sayson, 300 SCRA 129.

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.