

MAELOTISEA S. GARRIDO, COMPLAINANT, VS. ATTYS. ANGEL E. GARRIDO AND ROMANA P. VALENCIA, RESPONDENTS.

A.C. No. 6593. February 04, 2010

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PER CURIAM:

Maelotisea Sipin Garrido filed a complaint-affidavit[1] and a supplemental affidavit[2] for disbarment against the respondents Atty. Angel E. Garrido (Atty. Garrido) and Atty. Romana P.Valencia (Atty. Valencia) before the Integrated Bar of the Philippines (IBP) Committee on Discipline charging them with gross immorality. The complaint-affidavit states:

- That I am the legal wife of Atty. Angel E. Garrido by virtue of our marriage on June 23, 1962 at San Marcelino Church, Ermita, Manila which was solemnized by Msgr. Daniel Cortes x x x

- That our marriage blossomed into having us blessed with six (6) children, namely, Mat Elizabeth, Arnel Angelito, Madeleine Eloiza, Arnel Angelo, Arnel Victorino and Madonna Angeline, all surnamed Garrido;

- x x x x

- That on May, 1991, during my light moments with our children, one of my daughters, Madeleine confided to me that sometime on the later part of 1987, an unknown caller talked with her claiming that the former is a child of my husband. I ignored it and dismissed it as a mere joke. But when May Elizabeth, also one of my daughters told me that sometime on August 1990, she saw my husband strolling at the Robinson's Department Store at Ermita, Manila together with a woman and a child who was later identified as Atty. Ramona Paguida Valencia and Angeli Ramona Valencia Garrido, respectively x x x

- x x x x

- That I did not stop from unearthing the truth until I was able to secure the Certificate of Live Birth of the child, stating among others that the said child is their daughter and that Atty. Angel Escobar Garrido and Atty. Romana Paguida Valencia were married at Hongkong sometime on 1978.

- That on June 1993, my husband left our conjugal home and joined Atty. Ramona Paguida Valencia at their residence x x x

- That since he left our conjugal home he failed and still failing to give us our needed financial support to the prejudice of our children who stopped schooling because of financial constraints.

x x x x

That I am also filing a disbarment proceedings against his mistress as alleged in the same affidavit, Atty. Romana P. Valencia considering that out of their immoral acts I suffered not only mental anguish but also besmirch reputation, wounded feelings and sleepless nights; x x x

In his Counter-Affidavit,[3] Atty. Garrido denied Maelotisea's charges and imputations. By way of defense, he alleged that Maelotisea was not his legal wife, as he was already married to Constancia David (Constancia) when he married Maelotisea. He claimed he married Maelotisea after he and Constancia parted ways. He further alleged

that Maelotisea knew all his escapades and understood his "bad boy" image before she married him in 1962. As he and Maelotisea grew apart over the years due to financial problems, Atty. Garrido met Atty. Valencia. He became close to Atty. Valencia to whom he confided his difficulties. Together, they resolved his personal problems and his financial difficulties with his second family. Atty. Garrido denied that he failed to give financial support to his children with Maelotisea, emphasizing that all his six (6) children were educated in private schools; all graduated from college except for Arnel Victorino, who finished a special secondary course.[4] Atty. Garrido alleged that Maelotisea had not been employed and had not practiced her profession for the past ten (10) years.

Atty. Garrido emphasized that all his marriages were contracted before he became a member of the bar on May 11, 1979, with the third marriage contracted after the death of Constanca on December 26, 1977. Likewise, his children with Maelotisea were born before he became a lawyer.

In her Counter-Affidavit,[5] Atty. Valencia denied that she was the mistress of Atty. Garrido. She explained that Maelotisea was not the legal wife of Atty. Garrido since the marriage between them was void from the beginning due to the then existing marriage of Atty. Garrido with Constanca. Atty. Valencia claimed that Maelotisea knew of the romantic relationship between her and Atty. Garrido, as they (Maelotisea and Atty. Valencia) met in 1978. Maelotisea kept silent about her relationship with Atty. Garrido and had maintained this silence when she (Atty. Valencia) financially helped Atty. Garrido build a house for his second family. Atty. Valencia alleged that Maelotisea was not a proper party to this suit because of her silence; she kept silent when things were favorable and beneficial to her. Atty. Valencia also alleged that Maelotisea had no cause of action against her.

In the course of the hearings, the parties filed the following motions before the IBP Commission on Bar Discipline:

First, the respondents filed a Motion for Suspension of Proceedings[6] in view of the criminal complaint for concubinage Maelotisea filed against them, and the Petition for Declaration of Nullity[7] (of marriage) Atty. Garrido filed to nullify his marriage to Maelotisea. The IBP Commission on Bar Discipline denied this motion for lack of merit.

Second, the respondents filed a Motion to Dismiss[8] the complaints after the Regional Trial Court of Quezon City declared the marriage between Atty. Garrido and Maelotisea "an absolute nullity." Since Maelotisea was never the legal wife of Atty. Garrido, the respondents argued that she had no personality to file her complaints against them. The respondents also alleged that they had not committed any immoral act since they married when Atty. Garrido was already a widower, and the acts complained of were committed before his admission to the bar. The IBP Commission on Bar Discipline also denied this motion.[9]

Third, Maelotisea filed a motion for the dismissal of the complaints she filed against the respondents, arguing that she wanted to maintain friendly relations with Atty. Garrido, who is the father of her six (6) children.[10] The IBP Commission on Bar Discipline likewise denied this motion.[11]

On April 13, 2004, Investigating Commissioner Milagros V. San Juan (Investigating Commissioner San Juan) submitted her Report and Recommendation for the respondents' disbarment.[12] The Commission on Bar Discipline of the IBP Board of Governors (IBP Board of Governors) approved and adopted this recommendation with modification under Resolution No. XVI-2004-375 dated July 30, 2004. This resolution in part states:

x x x finding the recommendation fully supported by the evidence on record and the applicable laws and rules, and considering that Atty. Garrido exhibited conduct which lacks the degree of morality required as members of the bar, Atty. Angel E. Garrido is hereby DISBARRED for gross immorality. However, the case against Atty. Romana P. Valencia is hereby DISMISSED for lack of merit of the complaint.

Atty. Garrido moved to reconsider this resolution, but the IBP Commission on Bar Discipline denied his motion under Resolution No. XVII-2007-038 dated January 18, 2007.

Atty. Garrido now seeks relief with this Court through the present petition for review. He submits that under the circumstances, he did not commit any gross immorality that would warrant his disbarment. He also argues that the offenses charged have prescribed under the IBP rules.

Additionally, Atty. Garrido pleads that he be allowed on humanitarian considerations to retain his profession; he is already in the twilight of his life, and has kept his promise to lead an upright and irreproachable life notwithstanding his situation.

In compliance with our Resolution dated August 25, 2009, Atty. Alicia A. Risos-Vidal (Atty. Risos-Vidal), Director of the Commission on Bar Discipline, filed her Comment on the petition. She recommends a modification of the penalty from disbarment to reprimand, advancing the view that disbarment is very harsh considering that the 77-year old Atty. Garrido took responsibility for his acts and tried to mend his ways by filing a petition for declaration of nullity of his bigamous marriage. Atty. Risos-Vidal also notes that no other administrative case has ever been filed against Atty. Garrido.

THE COURT'S RULING

After due consideration, we resolve to adopt the findings of the IBP Board of Governors against Atty. Garrido, and to reject its recommendation with respect to Atty. Valencia.

General Considerations

Laws dealing with double jeopardy or with procedure - such as the verification of pleadings and prejudicial questions, or in this case, prescription of offenses or the filing of affidavits of desistance by the complainant - do not apply in the determination of a lawyer's qualifications and fitness for membership in the Bar.[13] We have so ruled in the past and we see no reason to depart from this ruling.[14] First, admission to the practice of law is a component of the administration of justice and is a matter of public interest because it involves service to the public.[15] The admission qualifications are also qualifications for the continued enjoyment of the privilege to practice law. Second, lack of qualifications or the violation of the standards for the practice of law, like criminal cases, is a matter of public concern that the State may inquire into through this Court. In this sense, the complainant in a disbarment case is not a direct party whose interest in the outcome of the charge is wholly his or her own;[16] effectively, his or her participation is that of a witness who brought the matter to the attention of the Court.

As applied to the present case, the time that elapsed between the immoral acts charged and the filing of the complaint is not material in considering the qualification of Atty. Garrido when he applied for admission to the practice of law, and his continuing qualification to be a member of the legal profession. From this perspective, it is not important that the acts complained of were committed before Atty. Garrido was admitted to the practice of law. As we explained in *Zaguirre v. Castillo*,[17] the possession of good moral character is both a condition precedent and a continuing requirement to warrant admission to the bar and to retain membership in the legal profession. Admission to the bar does not preclude a subsequent judicial inquiry, upon proper complaint, into any question concerning the mental or moral fitness of the respondent before he became a lawyer.[18] Admission to the practice only creates the rebuttable presumption that the applicant has all the qualifications to become a lawyer; this may be refuted by clear and convincing evidence to the contrary even after admission to the Bar.[19]

Parenthetically, Article VIII Section 5(5) of the Constitution recognizes the disciplinary authority of the Court over the members of the Bar to be merely incidental to the Court's exclusive power to admit applicants to the

practice of law. Reinforcing the implementation of this constitutional authority is Section 27, Rule 138 of the Rules of Court which expressly states that a member of the bar may be disbarred or suspended from his office as attorney by the Supreme Court for, among others, any deceit, grossly immoral conduct, or violation of the oath that he is required to take before admission to the practice of law.

In light of the public service character of the practice of law and the nature of disbarment proceedings as a public interest concern, Maelotisea's affidavit of desistance cannot have the effect of discontinuing or abating the disbarment proceedings. As we have stated, Maelotisea is more of a witness than a complainant in these proceedings. We note further that she filed her affidavits of withdrawal only after she had presented her evidence; her evidence are now available for the Court's examination and consideration, and their merits are not affected by her desistance. We cannot fail to note, too, that Mealotisea filed her affidavit of desistance, not to disown or refute the evidence she had submitted, but solely because of compassion (and, impliedly, out of concern for her personal financial interest in continuing friendly relations with Atty. Garrido).

Immoral conduct involves acts that are willful, flagrant, or shameless, and that show a moral indifference to the opinion of the upright and respectable members of the community.[20] Immoral conduct is gross when it is so corrupt as to constitute a criminal act, or so unprincipled as to be reprehensible to a high degree, or when committed under such scandalous or revolting circumstances as to shock the community's sense of decency.[21] We make these distinctions as the supreme penalty of disbarment arising from conduct requires grossly immoral, not simply immoral, conduct.[22]

In several cases, we applied the above standard in considering lawyers who contracted an unlawful second marriage or multiple marriages.

In *Macarrubo v. Macarrubo*, [23] the respondent lawyer entered into multiple marriages and subsequently used legal remedies to sever them. We ruled that the respondent's pattern of misconduct undermined the institutions of marriage and family - institutions that this society looks up to for the rearing of our children, for the development of values essential to the survival and well-being of our communities, and for the strengthening of our nation as a whole. In this light, no fate other than disbarment awaited the wayward respondent.

In *Villasanta v. Peralta*, [24] the respondent lawyer married the complainant while his marriage with his first wife was subsisting. We held that the respondent's act of contracting the second marriage was contrary to honesty, justice, decency and morality. The lack of good moral character required by the Rules of Court disqualified the respondent from admission to the Bar.

Similar to *Villasanta* was the case of *Conjuangco, Jr. v. Palma*, [25] where the respondent secretly contracted a second marriage with the daughter of his client in Hongkong. We found that the respondent exhibited a deplorable lack of that degree of morality required of members of the Bar. In particular, he made a mockery of marriage - a sacred institution that demands respect and dignity. We also declared his act of contracting a second marriage contrary to honesty, justice, decency and morality.

In this case, the undisputed facts gathered from the evidence and the admissions of Atty. Garrido established a pattern of gross immoral conduct that warrants his disbarment. His conduct was not only corrupt or unprincipled; it was reprehensible to the highest degree.

First, Atty. Garrido admitted that he left Constancia to pursue his law studies; thereafter and during the marriage, he had romantic relationships with other women. He had the gall to represent to this Court that the study of law was his reason for leaving his wife; marriage and the study of law are not mutually exclusive.

Second, he misrepresented himself to Maelotisea as a bachelor, when in truth he was already married to

Constancia.[26] This was a misrepresentation given as an excuse to lure a woman into a prohibited relationship.

Third, Atty. Garrido contracted his second marriage with Maelotisea notwithstanding the subsistence of his first marriage. This was an open admission, not only of an illegal liaison, but of the commission of a crime.

Fourth, Atty. Garrido engaged in an extra-marital affair with Atty. Valencia while his two marriages were in place and without taking into consideration the moral and emotional implications of his actions on the two women he took as wives and on his six (6) children by his second marriage.

Fifth, instead of making legal amends to validate his marriage with Maelotisea upon the death of Constancia, Atty. Garrido married Atty. Valencia who bore him a daughter.

Sixth, Atty. Garrido misused his legal knowledge and convinced Atty. Valencia (who was not then a lawyer) that he was free to marry, considering that his marriage with Maelotisea was not "valid."

Seventh, as the evidence on record implies, Atty. Garrido married Atty. Valencia in Hongkong in an apparent attempt to accord legitimacy to a union entered into while another marriage was in place.

Eighth, after admission to the practice of law, Atty. Garrido simultaneously cohabited and had sexual relations with two (2) women who at one point were both his wedded wives. He also led a double life with two (2) families for a period of more than ten (10) years.

Lastly, Atty. Garrido petitioned for the nullity of his marriage to Maelotisea. Contrary to the position advanced by Atty. Alicia A. Risos-Vidal, this was not an act of facing up to his responsibility or an act of mending his ways. This was an attempt, using his legal knowledge, to escape liability for his past actions by having his second marriage declared void after the present complaint was filed against him.

By his actions, Garrido committed multiple violations relating to the legal profession, specifically, violations of the bar admission rules, of his lawyer's oath, and of the ethical rules of the profession.

He did not possess the good moral character required of a lawyer at the time of his admission to the Bar.[27] As a lawyer, he violated his lawyer's oath,[28] Section 20(a) of Rule 138 of the Rules of Court,[29] and Canon 1 of the Code of Professional Responsibility,[30] all of which commonly require him to obey the laws of the land. In marrying Maelotisea, he committed the crime of bigamy, as he entered this second marriage while his first marriage with Constancia was subsisting. He openly admitted his bigamy when he filed his petition to nullify his marriage to Maelotisea.

He violated ethical rules of the profession, specifically, Rule 1.01 of the Code of Professional Responsibility, which commands that he "shall not engage in unlawful, dishonest, immoral or deceitful conduct"; Canon 7 of the same Code, which demands that "[a] lawyer shall at all times uphold the integrity and dignity of the legal profession"; Rule 7.03 of the Code of Professional Responsibility, which provides that, "[a] lawyer shall not engage in conduct that adversely reflects on his fitness to practice law, nor should he, whether in public or private life, behave in a scandalous manner to the discredit of the legal profession."

As a lawyer, his community looked up to Atty. Garrido with the expectation and that he would set a good example in promoting obedience to the Constitution and the laws. When he violated the law and distorted it to cater to his own personal needs and selfish motives, he discredited the legal profession and created the public impression that laws are mere tools of convenience that can be used, bended and abused to satisfy personal whims and desires. In this case, he also used the law to free him from unwanted relationships.

The Court has often reminded the members of the bar to live up to the standards and norms expected of the legal profession by upholding the ideals and principles embodied in the Code of Professional Responsibility.[31]

Lawyers are bound to maintain not only a high standard of legal proficiency, but also of morality, including honesty, integrity and fair dealing.[32] Lawyers are at all times subject to the watchful public eye and community approbation.[33] Needless to state, those whose conduct - both public and private - fail this scrutiny have to be disciplined and, after appropriate proceedings, accordingly penalized.[34]

Atty. Valencia

We agree with the findings of Investigating Commissioner San Juan that Atty. Valencia should be administratively liable under the circumstances for gross immorality:

x x x The contention of respondent that they were not yet lawyers in March 27, 1978 when they got married shall not afford them exemption from sanctions, for good moral character is required as a condition precedent to admission to the Bar. Likewise there is no distinction whether the misconduct was committed in the lawyer's professional capacity or in his private life. Again, the claim that his marriage to complainant was void ab initio shall not relieve respondents from responsibility x x x Although the second marriage of the respondent was subsequently declared null and void the fact remains that respondents exhibited conduct which lacks that degree of morality required of them as members of the Bar.[35]

Moral character is not a subjective term but one that corresponds to objective reality.[36] To have good moral character, a person must have the personal characteristics of being good. It is not enough that he or she has a good reputation, i.e., the opinion generally entertained about a person or the estimate in which he or she is held by the public in the place where she is known.[37] The requirement of good moral character has four general purposes, namely: (1) to protect the public; (2) to protect the public image of lawyers; (3) to protect prospective clients; and (4) to protect errant lawyers from themselves.[38] Each purpose is as important as the other.

Under the circumstances, we cannot overlook that prior to becoming a lawyer, Atty. Valencia already knew that Atty. Garrido was a married man (either to Constancia or to Maelotisea), and that he already had a family. As Atty. Garrido's admitted confidante, she was under the moral duty to give him proper advice; instead, she entered into a romantic relationship with him for about six (6) years during the subsistence of his two marriages. In 1978, she married Atty. Garrido with the knowledge that he had an outstanding second marriage. These circumstances, to our mind, support the conclusion that she lacked good moral character; even without being a lawyer, a person possessed of high moral values, whose confidential advice was sought by another with respect to the latter's family problems, would not aggravate the situation by entering into a romantic liaison with the person seeking advice, thereby effectively alienating the other person's feelings and affection from his wife and family.

While Atty. Valencia contends that Atty. Garrido's marriage with Maelotisea was null and void, the fact remains that he took a man away from a woman who bore him six (6) children. Ordinary decency would have required her to ward off Atty. Garrido's advances, as he was a married man, in fact a twice-married man with both marriages subsisting at that time; she should have said no to Atty. Garrido from the very start. Instead, she continued her liaison with Atty. Garrido, driving him, upon the death of Constancia, away from legitimizing his relationship with Maelotisea and their children. Worse than this, because of Atty. Valencia's presence and willingness, Atty. Garrido even left his second family and six children for a third marriage with her. This scenario smacks of immorality even if viewed outside of the prism of law.

We are not unmindful of Atty. Valencia's expressed belief that Atty. Garrido's second marriage to Maelotisea was invalid; hence, she felt free to marry Atty. Garrido. While this may be correct in the strict legal sense and was later on confirmed by the declaration of the nullity of Atty. Garrido's marriage to Maelotisea, we do not believe at all in the honesty of this expressed belief.

The records show that Atty. Valencia consented to be married in Hongkong, not within the country. Given that

this marriage transpired before the declaration of the nullity of Atty. Garrido's second marriage, we can only call this Hongkong marriage a clandestine marriage, contrary to the Filipino tradition of celebrating a marriage together with family. Despite Atty. Valencia's claim that she agreed to marry Atty. Garrido only after he showed her proof of his capacity to enter into a subsequent valid marriage, the celebration of their marriage in Hongkong[39] leads us to the opposite conclusion; they wanted to marry in Hongkong for the added security of avoiding any charge of bigamy by entering into the subsequent marriage outside Philippine jurisdiction. In this regard, we cannot help but note that Atty. Valencia afterwards opted to retain and use her surname instead of using the surname of her "husband." Atty. Valencia, too, did not appear to mind that her husband did not live and cohabit with her under one roof, but with his second wife and the family of this marriage. Apparently, Atty. Valencia did not mind at all "sharing" her husband with another woman. This, to us, is a clear demonstration of Atty. Valencia's perverse sense of moral values.

Measured against the definition of gross immorality, we find Atty. Valencia's actions grossly immoral. Her actions were so corrupt as to approximate a criminal act, for she married a man who, in all appearances, was married to another and with whom he has a family. Her actions were also unprincipled and reprehensible to a high degree; as the confidante of Atty. Garrido, she preyed on his vulnerability and engaged in a romantic relationship with him during the subsistence of his two previous marriages. As already mentioned, Atty. Valencia's conduct could not but be scandalous and revolting to the point of shocking the community's sense of decency; while she professed to be the lawfully wedded wife, she helped the second family build a house prior to her marriage to Atty. Garrido, and did not object to sharing her husband with the woman of his second marriage.

We find that Atty. Valencia violated Canon 7 and Rule 7.03 of the Code of Professional Responsibility, as her behavior demeaned the dignity of and discredited the legal profession. She simply failed in her duty as a lawyer to adhere unwaveringly to the highest standards of morality.[40] In *Barrientos v. Daarol*,[41] we held that lawyers, as officers of the court, must not only be of good moral character but must also be seen to be of good moral character and must lead lives in accordance with the highest moral standards of the community. Atty. Valencia failed to live up to these standards before she was admitted to the bar and after she became a member of the legal profession.

Conclusion

Membership in the Bar is a privilege burdened with conditions. As a privilege bestowed by law through the Supreme Court, membership in the Bar can be withdrawn where circumstances concretely show the lawyer's lack of the essential qualifications required of lawyers. We resolve to withdraw this privilege from Atty. Angel E. Garrido and Atty. Rowena P. Valencia for this reason.

In imposing the penalty of disbarment upon the respondents, we are aware that the power to disbar is one to be exercised with great caution and only in clear cases of misconduct that seriously affects the standing and character of the lawyer as a legal professional and as an officer of the Court.[42]

We are convinced from the totality of the evidence on hand that the present case is one of them. The records show the parties' pattern of grave and immoral misconduct that demonstrates their lack of mental and emotional fitness and moral character to qualify them for the responsibilities and duties imposed on lawyers as professionals and as officers of the court.

While we are keenly aware of Atty. Garrido's plea for compassion and his act of supporting his children with Maelotisea after their separation, we cannot grant his plea. The extent of his demonstrated violations of his oath, the Rules of Court and of the Code of Professional Responsibility overrides what under other circumstances are commendable traits of character.

In like manner, Atty. Valencia's behavior over a long period of time unequivocally demonstrates a basic and serious flaw in her character, which we cannot simply brush aside without undermining the dignity of the legal profession and without placing the integrity of the administration of justice into question. She was not an on-looker victimized by the circumstances, but a willing and knowing full participant in a love triangle whose incidents crossed into the illicit.

WHEREFORE, premises considered, the Court resolves to:

(1) DISBAR Atty. Angel E. Garrido from the practice of law for gross immorality, violation of the Lawyer's Oath; and violation of Rule 1.01, Canon 7 and Rule 7.03 of the Code of Professional Responsibility; and

(2) DISBAR Atty. Romana P. Valencia from the practice of law for gross immorality, violation of Canon 7 and Rule 7.03 of the Code of Professional Responsibility.

Let a copy of this Decision be attached to the personal records of Atty. Angel E. Garrido and Atty. Romana P. Valencia in the Office of the Bar Confidant, and another copy furnished the Integrated Bar of the Philippines.

The Clerk of Court is directed to strike out the names of Angel E. Garrido and Rowena P. Valencia from the Roll of Attorneys.

SO ORDERED.

Carpio, Corona, Carpio Morales, Velasco, Jr., Nachura, Leonardo-De Castro, Brion, Peralta, Bersamin, Del Castillo, Villarama, Jr., and Perez, JJ., concur.

Abad, J., on wellness leave.

Mendoza, J., on leave.

[1] Rollo, pp. 1-2, Vol. I.

[2] Id. at 9.

[3] Id. at 14-16.

[4] Atty. Garrido submitted a Sworn Statement of Pablito G. Uplos, his secretary who attested that he was the one who delivered the money for the financial support of Maelotisea and their children.

[5] Rollo, pp. 29-30, Vol. I.

[6] Id. at 90-91.

[7] Civil Case No. Q-95-25688, Regional Trial Court, Branch 94, Quezon City.

[8] Rollo, pp. 142-144, Vol. I.

[9] Id. at 167-168 and 182-183; Order dated February 7, 2003.

[10] Rollo, pp. 192-193, Vol. I.

[11] Id. at 195-196; Order dated November 7, 2003.

[12] Id. at 290-293, Vol. I.

[13] Wilkie v. Limos, A.C. 7505, Oct. 24, 2008, 570 SCRA 1, 8 and Pimentel, Jr. v. Llorente, 393 Phil 554, 551 (2000).

[14] *In re Del Rosario*, 52 Phil 399, 400 (1928); *Calo v. Degamo*, A.C. No. 516, Aug. 30, 1967, 20 SCRA 447, 450; *In re Lanuevo*, 160 Phil 935, 981 (1975); *Agripino Brillantes*, 166 Phil 449, 461 (1977); *Pangan v. Ramos*, 194 Phil 1, 8 (1981).

[15] *Cham v. Paita-Moya*, A.C. No. 7494, June 27, 2008, 556 SCRA 1, 9 and *Tomlinii v. Moya*, A.C. No. 6971, February 23, 2006, 483 SCRA 154, 159.

[16] *Pimentel, Jr. v. Llorente*, supra note 13, at 551-552.

[17] A.C. No. 4921. March 6, 2003, 398 SCRA 658, 664.

[18] *Ibid.*

[19] *Id.* at 665.

[20] *Cojuangco, Jr. v. Palma*, Adm. Case No. 2474, September 15, 2004, 438 SCRA 306, 314.

[21] *St. Louis University Laboratory High School (SLU-LHS) and Faculty and Staff v. Dela Cruz*, A.C. No. 6010, August 28, 2006, 499 SCRA 614, 624.

[22] *Cojuangco, Jr. v. Palma*, supra note 20, at 314.

[23] 424 SCRA 42, 54 (2004) cited in *Cojuangco, Jr. v. Palma*, supra note 20, at 315.

[24] 101 Phil.313, 314 (1957) cited in *Cojuangco, Jr. v. Palma*, supra note 20, at 315.

[25] Supra note 20, at 308.

[26] *Rollo*, p. 4, Vol. I.

[27] *In re Atty. Rovero*, 189 Phil 605, 606 (1980).

[28] Namely: (1) "I will support its Constitution and obey the laws as well as the legal orders of the duly constituted authorities therein;" (2) "I will do no falsehood or consent to its commission"; (3) "and will conduct myself as a lawyer according to the best of my knowledge and discretion with all good fidelity as well as to the courts as to my clients x x x"

[29] SEC. 20. Duties of attorneys. - It is the duty of an attorney:

(a) To maintain allegiance to the Republic of the Philippines and to support the Constitution and obey the laws of the Philippines.

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

[31] *Tapucar v. Tapucar*, A.C. No. 4148, July 30, 1998, 293 SCRA 331, 339.

[32] *Id.* at 338.

[33] *Ibid.*

[34] *Ibid.*

[35] *Rollo*, p. 292, Vol. II.

[36] *Advincula v. Macabata*, A.C. No. 7204, March 7, 2007, 517 SCRA 600; citing *Bar Matter No. 1154*, 431 SCRA 146, 149 (2004).

[37] Id. at 609.

[38] Id. at 609-610.

[39] Rollo, p. 29, Vol. I.

[40] Advincula v. Macabata, supra note 36, at 609.

[41] A.C. No. 1512, January 29, 1993, 218 SCRA 30, 40.

[42] Tapucar v. Tapucar, supra note 31, at 339.

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