

CRISTY KATSUI, COMPLAINANT, VS. ATTY. RENATO L. BONDAL, RESPONDENT.*A.C. No. 9174 [Formerly CBD Case No. 22-6689], August 12, 2025*

Ponente: LAZARO-JAVIER, J.

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Complainant Cristy Katsui (Cristy) charges respondent Atty. Renato L. Bondal (Atty. Bondal) with violations of the Code of Professional Responsibility (CPR) and the Lawyer's Oath for his alleged neglect to file with the Office of the City Prosecutor for Quezon City a case for estafa, albeit it was precisely for that purpose that she and her boyfriend Louie Quizmondo (Louie) engaged his legal services.[1]

In her Complaint-Affidavit[2] dated August 2, 2011, Cristy alleged that sometime in May 2010, she and Louie engaged the services of Atty. Bondal as counsel for an estafa case they wanted to file against three individuals. Atty. Bondal initially charged her PHP 55,000.00 as attorney's fees, which she paid. Atty. Bondal, however, did not issue any official receipt despite repeated demands.[3] Several months later, she made a follow-up with Atty. Bondal. To her surprise, Atty. Bondal failed to file the estafa case before the Office of the City Prosecutor for Quezon City. Instead, he merely gave her an affidavit-complaint draft and told her and Louie to file it themselves. Not satisfied with Atty. Bondal's services, she demanded the return of the PHP 55,000.00 and the documents she entrusted him. Atty. Bondal, however, only returned the documents in his possession. He did not return the PHP 55,000.00. Eventually, she was constrained to hire another lawyer to handle and file the estafa case.[4]

By Letter[5] dated February 11, 2011, she formally demanded the return of the PHP 55,000.00 from Atty. Bondal, but he ignored. This prompted her to file the present Administrative Complaint.[6]

Under Resolution[7] dated September 21, 2011, the Court directed Atty. Bondal to file his comment within 10 days from receipt of the notice. On December 16, 2011, Atty. Bondal filed a Motion[8] for Extension of 10 days to file his comment. In the same Motion, he averred that he and Cristy had already reconciled, and that the latter was intending to withdraw her Complaint against him.[9] On December 28, 2011, Atty. Bondal filed his 2nd Motion for Extension[10] of another 10 days to file his comment. He also attached to it a copy of Cristy's Affidavit of Desistance[11] dated December 27, 2011. Cristy stated therein that she was voluntarily withdrawing the Complaint against Atty. Bondal since she was no longer interested in pursuing the disbarment case.[12]

By Resolution[13] dated February 8, 2012, the Court granted both motions, albeit in the end, Atty. Bondal still failed to file his comment. Thus, by Resolution[14] dated August 5, 2019, the Court imposed a fine of PHP 1,000.00 on Atty. Bondal, payable to the Court within 10 days from notice, and required him to comply with the Resolution dated September 21, 2011.[15]

More than two years later, on June 30, 2021, the Court issued yet another Resolution[16] reiterating the imposition of the PHP 1,000.00 fine on Atty. Bondal. Too, it resolved to deem Atty. Bondal to have waived his

right to file a comment on the Complaint-Affidavit. Eventually, it referred the case to the Integrated Bar of the Philippines (IBP) for investigation, report, and recommendation.

By Order[17] dated January 13, 2023, the IBP-Commission on Bar Discipline (IBP-CBD) directed Atty. Bondal to file his answer to the Complaint-Affidavit, which Atty. Bondal again failed to heed.[18]

Under its Report and Recommendation[19] dated June 20, 2023, the IBP-CBD recommended the dismissal of the Complaint for lack of merit. It found that based on the available records on file, Atty. Bondal is not liable for violation of the CPR and the Lawyer's Oath. As stated in the Affidavit-Complaint itself, Atty. Bondal actually drafted the necessary Affidavit-Complaint for estafa to be filed with the Office of the City Prosecutor for Quezon City. But Atty. Bondal is being faulted for asking his clients to do the physical filing themselves which his clients obviously did not like. They believed he should do it himself as part of his services for which he was engaged and paid in the first place. There was no showing, however, that Atty. Bondal incurred delay in drafting the Affidavit-Complaint or that his request for his clients to do the physical filing itself was unreasonable.[20]

But despite not finding Atty. Bondal liable for violation of the CPR and the Lawyer's Oath, the IBP-CBD still directed him to comply with the Court's Resolution dated August 5, 2019 and pay the PHP 1,000.00 imposed therein; and in the meantime, withhold the issuance of the IBP's Certificate of Good Moral Character or Certificate of No Pending Case in favor of Atty. Bondal, if requested, until he shows proof of his compliance with Resolution dated August 5, 2019,[21] thus:

WHEREFORE, premises considered, the Undersigned Commissioner recommends for the DISMISSAL of the instant case with a recommendation to DIRECT the respondent, ATTY. RENATO LAZARO BONDAL, to comply with the Honorable Supreme Court's Resolution dated 05 August 2019 and Resolution dated 30 June 2021 for him to pay to the Honorable Supreme Court a fine of ONE THOUSAND PESOS (P1,000.00). It is further recommended for the IBP to withhold issuance of a Certificate of Good Standing or Clearance pending proof that respondent had paid the said fine to the Honorable Supreme Court.

RESPECTFULLY SUBMITTED.[22] (Emphasis in the original)

In its Resolution[23] dated July 29, 2023, the IBP Board of Governors (IBP-BOG) adopted and approved the IBP-CBD's Report and Recommendation.

Our Ruling

We adopt the findings and recommendation of the IBP-BOG, with modification.

At the outset, the Court emphasizes that a disbarment case is *sui generis* for it is neither purely civil nor purely criminal, but is rather an investigation by the court into the conduct of its officers. The issue to be determined is whether the respondent lawyer is still fit to continue to be an officer of the court in the dispensation of justice.[24] Hence, an administrative proceeding for disbarment continues despite the desistance of a complainant, or failure of the complainant to prosecute the same, or the failure of respondent to answer the charges against them despite numerous notices.[25]

Notably, in *Tudtud v. Judge Coliflores*,[26] the Court ruled that the unilateral decision of a complainant to withdraw from an administrative complaint does not prevent the Court from imposing sanctions upon the parties subject to its administrative supervision.[27]

Hence, while Cristy had already manifested through her Affidavit of Desistance[28] her lack of interest in pursuing the disbarment case against Atty. Bondal, the Court is still not precluded from proceeding with the case and resolving it on the merits based on the records. After all, in cases against lawyers, complainants are treated as mere witnesses.[29]

The disbarment complaint is dismissed for lack of merit

Prefatorily, it must be noted that the CPR has been expressly repealed by the Code of Professional Responsibility and Accountability (CPRA), which took effect on May 30, 2023. Nevertheless, CPRA's transitory provision expressly ordains its retroactive application:

SEC. 1. Transitory Provision. — The CPRA shall be applied to all pending and future cases, except to the extent that in the opinion of the Supreme Court, its retroactive application would not be feasible or work injustice, in which case the procedure under which the cases were filed shall govern.

Thus, although the act for which Atty. Bondal was administratively charged was committed during the effectivity of the CPR, the Court shall still evaluate it, but using the provisions of the new CPRA.

Here, Atty. Bondal was charged with violations of the Lawyer's Oath and the CPR for his alleged neglect to file a case for estafa against three individuals before the Office of the City Prosecutor for Quezon City, despite having received attorney's fees in the amount of PHP 55,000.00 from Cristy. This is a violation of Canon III (Fidelity) and Canon IV (Competence and Diligence), Section 3 of the CPRA,[30] to wit:

CANON III

Fidelity

Fidelity pertains to a lawyer's duty to uphold the Constitution and the laws of the land, to assist in the administration of justice as an officer of the court, and to advance or defend a client's cause, with full devotion, genuine interest, and zeal in the pursuit of truth and justice.

....

CANON IV

Competence and Diligence

A lawyer professionally handling a client's cause shall, to the best of his or her ability, observe competence, diligence, commitment, and skill consistent with the fiduciary nature of the lawyer-client relationship, regardless of the nature of the legal matter or issues involved, and whether for a fee or pro bono.

....

SECTION 3. Diligence and Punctuality. — A lawyer shall diligently and seasonably act on any legal matter entrusted by a client.

A lawyer shall be punctual in all appearances, submissions of pleadings and documents before any court, tribunal or other government agency, and all matters professionally referred by the client, including meetings and other commitments.

The practice of law is so ultimately affected with public interest that it is both the right and duty of the State to control and regulate it to promote the public welfare. The Constitution vests this power of control and regulation in the Court. The Supreme Court, as guardian of the legal profession, has ultimate disciplinary power over attorneys, which authority is not only a right but a bounden duty as well.[31]

In consideration of the gravity of the consequences of the disbarment or suspension of a member of the Bar, the Court has consistently held that a lawyer enjoys the presumption of innocence and the burden of proof rests upon the complainant to satisfactorily prove the allegations in his or her complaint through substantial evidence.[32] A complainant's failure to dispense the same standard of proof requires no other conclusion than that which stays the hand of the Court from meting out a disbarment or suspension order.[33] Bare allegations of misconduct cannot prevail over the presumption of regularity in the performance of official functions.[34]

As aptly found by the IBP, Cristy failed to substantiate her charge of negligence against Atty. Bondal. She failed to prove that the instruction of Atty. Bondal for her and Louie to do the physical filing of the Affidavit-Complaint with the Office of the City Prosecutor of Quezon City themselves was unreasonable as to warrant a disciplinary action against him. Also, she failed to allege and prove that Atty. Bondal failed to work on their case as she even admitted that he drafted the Affidavit-Complaint they asked and paid him for.[35] Surely, mere allegations are not equivalent to proof.[36] Thus, the IBP correctly dismissed the Administrative Complaint against Atty. Bondal for utter lack of merit.[37]

Atty. Bondal is liable for violation of Canon III of the CPRA

Despite the dismissal of the present Complaint, We find Atty. Bondal guilty of four counts of violation of Canon III, Section 2 of the CPRA for his failure to comply with the directives of the Court and the IBP. The Court cannot countenance Atty. Bondal's nonchalant attitude in complying with the IBP's order, as well as the Resolutions of the Court.

Canon III, Section 2 of the CPRA requires a lawyer to promote respect for legal processes, uphold the rule of law, and conscientiously assist in the speedy and efficient administration of justice, to wit:

CANON III

Fidelity

Fidelity pertains to a lawyer's duty to uphold the Constitution and the laws of the land, to assist in the administration of justice as an officer of the court, and to advance or defend a client's cause, with full devotion, genuine interest, and zeal in the pursuit of truth and justice.

....

SECTION 2. The Responsible and Accountable Lawyer. — A lawyer shall uphold the constitution, obey the laws of the land, promote respect for laws and legal processes, safeguard human rights, and at all times advance the honor and integrity of the legal profession.

As an officer of the court, a lawyer shall uphold the rule of law and conscientiously assist in the speedy and efficient administration of justice.

As an advocate, a lawyer shall represent the client with fidelity and zeal within the bounds of the law and the CPRA.

Indeed, Atty. Bondal's acts of seeking twin extensions of time to file his comment on the complaint, and thereafter, invariably failing to do so and even ignoring the Court's subsequent directives not only indicated a high degree of irresponsibility but constituted utter disrespect to the judicial institution.[38] Too, he failed to adduce any proof of payment of the PHP 1,000.00 fine imposed by the Court. Further, Atty. Bondal failed to file his answer despite being ordered by the IBP. Certainly, Resolutions of the Court and the IBP, as the investigating arm of the Court in administrative cases against lawyers, are not to be construed as mere requests, nor should they be complied with partially, inadequately, or selectively.[39] The highest form of respect for judicial authority is shown by a lawyer's obedience to court orders and processes.[40]

In *Jacolbia v. Panganiban*,[41] the Court ordained that as a member of the IBP, a lawyer is duty-bound to comply with all its lawful directives in deference to its authority over them. Accordingly, a lawyer's failure to comply with the orders of the IBP without justifiable reason manifests their disrespect of judicial authorities and legal processes, for which they must be disciplined accordingly.[42]

Lim v. Rivera[43] likewise emphasized that a lawyer should comply with the directives of the IBP not only because they are called upon to obey the legal orders of duly constituted authorities, as well as court orders and processes, but also because the case involves the very foundation of their right to engage in the practice of law. Therefore, lawyers' lack of concern or interest in the status or outcome of their own administrative case would show how much less they would regard the interests of their clients.[44]

Atty. Bondal's brazen disobedience to the lawful orders and processes of the IBP and the Court is classified as a less serious offense under Canon VI, Section 34 of the CPRA.[45] Consequently, Canon VI, Section 37(b) imposes the following sanctions for a less serious offense, viz.:

Section 37. Sanctions. – ... (b) If the respondent is found guilty of a less serious offense, any of the following sanctions, or a combination thereof, shall be imposed:

(1)

Suspension from the practice of law for a period within the range of one (1) month to six (6) months, or revocation of notarial commission and disqualification as notary public for less than two (2) years;

(2)

A fine within the range of P35,000.00 to P100,000.00 (Emphasis supplied)

Considering the factual milieu of the case and the pertinent provisions of the CPRA, the Court deems it proper to impose upon Atty. Bondal separate penalties for all counts,[46] per Canon VI, Section 40 of the CPRA.[47] Verily, We impose upon Atty. Bondal a fine of PHP 35,000.00 for each count of violation of Canon III, Section 2 of the CPRA.

First, Atty. Bondal failed to file a comment despite the extensions sought and granted, in blatant disregard of the Court's Resolution dated February 8, 2012. Second, he again failed to file a comment required per the Court's Resolution dated August 5, 2019. In that same Resolution, the Court imposed a fine of PHP 1,000 for his failure to comply with its Resolutions dated September 21, 2011 and February 8, 2012. Third, Atty. Bondal yet again failed to file his comment and pay the PHP 1,000.00 fine, in defiance of the Court's Resolution dated June 30, 2021. Fourth, he failed to file his answer to Cristy's Complaint-Affidavit, contrary to the IBP-CBD's Order dated January 13, 2023.[48]

Further, it bears stress that Atty. Bondal has yet to pay the PHP 1,000.00 fine imposed against him by the Court. Thus, the Court reiterates its Resolution dated August 5, 2019 and directs Atty. Bondal to pay the fine of PHP 1,000.00.

Indubitably, Atty. Bondal's consistent disregard of the Court's Resolutions directing him to file his Comment and pay a fine of PHP 1,000.00, as well as the IBP's previous directive to file his answer to the complaint against him, despite due notice, without justification or valid reason, indicates a lack of respect for the Court and the IBP's rules and procedures.[49] Thus, he should be reminded that as a lawyer, he must maintain respect not only to the courts, but also to judicial officers and other duly constituted authorities, including the IBP.[50]

ACCORDINGLY, the Complaint-Affidavit filed against Atty. Renato L. Bondal is DISMISSED for lack of merit. Nonetheless, he is found GUILTY of four counts of violation of Canon III, Section 2 of the Code of Professional Responsibility and Accountability for disobeying the Resolutions dated February 8, 2012, August 5, 2019, and June 30, 2021 of the Supreme Court, and Resolution dated January 13, 2023 of the Integrated Bar of the Philippines.

Atty. Renato L. Bondal is ordered to PAY a fine of PHP 35,000.00 for each count, or a total of PHP 140,000.00 with STERN WARNING that a commission of the same or similar offense in the future shall be dealt with more severely. He is likewise ordered to COMPLY with the Court's Resolution dated August 5, 2019 and PAY a fine of PHP 1,000.00. Payment of this amount and the amount of PHP 140,000.00 must be made within three months from receipt of this Decision.

Atty. Renato L. Bondal is further directed to SUBMIT to this Court proof of payment within 10 days from said payment, as well as a sworn statement of the date of his receipt of this Decision within five days therefrom.

Let a copy of this Decision be furnished the Office of the Bar Confidant to be appended to Atty. Renato L. Bondal's personal record as an attorney, the Integrated Bar of the Philippines for its information and guidance, and the Office of the Court Administrator for circulation to all the courts.

The Integrated Bar of the Philippines is directed to furnish the local chapter to which the respondent belongs a copy of this Decision.

SO ORDERED.

Gesmundo, C.J., Leonen, S.A.J., Caguioa, Hernando, Inting, Zalameda, Gaerlan, Rosario, Lopez, Dimaampao, Marquez, Kho, Jr., and Villanueva, JJ., concur.
Singh,[*] J., on leave.

[*] On leave.

[1] Rollo, pp. 1-2. Complaint-Affidavit dated August 2, 2011.

[2] Id.

[3] Id. at 81.

[4] Id. at 82.

[5] Id. at 7-8.

[6] Id. at 83.

[7] Id. at 10.

[8] Id. at 11-12.

[9] Id. at 82.

[10] Id. at 14-15.

[11] Id. at 17.

[12] Id. at 83.

[13] Id. at 18.

[14] Id. at 26-27.

[15] Id. at 83.

[16] Id. at 36-37.

[17] Id. at 47-48.

[18] Id. at 84.

[19] Id. at 81-87.

[20] Id. at 86.

[21] Id. at 87.

[22] Id.

[23] Id. at 79-80.

[24] Yoshimura v. Panagsagan, 840 Phil. 16, 25 (2018) [Per Curiam, En Banc].

[25] Bunagan-Bansig v. Atty. Celera, 724 Phil. 141, 150 (2014) [Per Curiam, En Banc].

[26] 458 Phil. 49 (2003) [Per J. Azcuna, First Division].

[27] Id. at 53.

[28] Rollo, p. 17.

[29] Aguirre v. Reyes, 868 Phil. 171, 180 (2020) [Per J. Lazaro-Javier, First Division].

[30] See Pante v. Atty. Tebelin, A.C. No. 13630, June 27, 2023 [Per Curiam, En Banc].

[31] Heck v. Santos, 467 Phil. 798, 820 (2004) [Per J. Callejo, En Banc].

[32] Goopio v. Maglalang, 837 Phil. 565, 575 (2018) [Per J. Jardeleza, En Banc].

[33] See Reyes v. Atty. Nieva, 794 Phil. 360, 377-378 (2016) [Per J. Perlas-Bernabe, En Banc].

[34] Coquia v. Laforteza, 805 Phil. 400, 408 (2017) [Per J. Peralta, Second Division].

[35] Rollo, p. 86.

[36] Artais v. Atty. Sajor, A.C. No. 12526 [Notice, November 29, 2022].

[37] Basea-Padulla v. Darantinao I, OCA I.P.I. No. 12-3867-P [Notice, October 12, 2020].

[38] Sebastian v. Atty. Bajar, 559 Phil. 211, 224 (2007) [Per J. Carpio, En Banc].

[39] See Tapang v. Atty. Donayre, 890 Phil. 590, 597-598 (2020) [Per J. Inting, Third Division] and Atty. Roque, Jr. v. Atty. Balbin, 844 Phil. 350, 357 [Per J. Perlas-Bernabe, En Banc].

[40] Radial Golden Marine Services Corp. v. Atty. Cabugoy, 854 Phil. 643, 648 (2019) [Per Curiam, En Banc].

[41] 871 Phil. 33 (2020) [Per J. Perlas-Bernabe, En Banc].

[42] Id. at 42.

[43] 833 Phil. 609 (2018) [Per J. Perlas-Bernabe, Second Division].

[44] Id. at 616-617.

[45] Section 34. Less serious offenses. — Less serious offenses include: ... (c) Violation of Supreme Court rules and issuances in relation to Bar Matters and administrative disciplinary proceedings, including willful and deliberate disobedience of the orders of the Supreme Court and the Integrated Bar of the Philippines.

[46] See *Dauin Point Land Corp. v. Atty. Enojo* (2003) [Per J. Inting, Third Division].

[47] Section 40. Penalty for Multiple Offenses. — If the respondent is found liable for more than one (1) offense arising from separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense. Should the aggregate of the imposed penalties exceed five (5) years of suspension from the practice of law or P1,000,000.00 in fines, the respondent may, in the discretion of the Supreme Court, be meted with the penalty of disbarment.

If a single act or omission gives rise to more than one (1) offense, the respondent shall still be found liable for all such offenses, but shall, nonetheless, only be meted with the appropriate penalty for the most serious offense. (Emphasis supplied)

[48] *Rollo*, pp. 83-84.

[49] See: *Radial Golden Marine Services Corp. v. Atty. Cabugoy*, 854 Phil. 643, 648 (2019) [Per Curiam, En Banc]; *Menguita v. Atty. Lorico*, A.C. No. 11949 [Notice, November 13, 2023].

[50] *Kelly v. Atty. Cipriano Robielos III*, A.C. No. 13955, January 30, 2024 [Per Curiam, En Banc].

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