

SC CIRCULAR NO. 2, March 13, 1987

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ADMINISTRATIVE SUPERVISION OF COURTS

TO :

COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A DISTRICT COURTS AND SHARI'A CIRCUIT COURTS

SUBJECT:

Suspension of Atty. WENCESLAO LAURETA from the practice of law

For the information and guidance of all concerned, quoted hereunder is the pertinent portion of the Resolution of the Court En Banc, promulgated on March 12, 1987, "In the Matter of Proceedings for Disciplinary Action against Atty. Wenceslao Laureta, and of Contempt Proceedings against Eva Maravilla-Ilustre in G.R. No. 68635, entitled 'Eva Maravilla-Ilustre vs. Hon. Intermediate Appellate Court, et al.' ":

"We likewise find that Atty. Laureta has committed acts unbecoming an officer of the Court for his stance of dangling threats of bringing the matter to the 'proper forum' to effect a change of the Court's adverse Resolution; for his lack of respect for and exposing to public ridicule the two highest Courts of the land by challenging in bad faith their integrity and claiming that they knowingly rendered unjust judgments (Montecillo vs. Gica, 60 SCRA 234 [1974]); for authoring, or at the very least, assisting and/or abetting and/or not preventing the contemptuous statements, conduct, acts and malicious charges of his client, respondent Ilustre, notwithstanding his disclaimer that he had absolutely nothing to do with them, which we find disputed by the facts and circumstances of record as above stated; for totally disregarding the facts and circumstances and legal considerations set forth in this Court's Resolutions of the First Division and en banc, as the Tribunal of last resort; for making it appear that the Justices of this Court and other respondents before the Tanodbayan are charged with 'graft and corruption' when the complaint before the Tanodbayan, in essence, is a tirade from disgruntled litigant and a defeated counsel in a case that has been brought thrice before this Court, and who would readily accept anything but the soundness of the judgments of the Courts concerned, all with the manifest intent to bring the Justices of this Court and of the Court of Appeals into disrepute and to subvert public confidence in the Courts.

"Atty. Laureta should be reminded that his first duty is not to his client but to the administration of justice; to that end, his client's success is wholly subordinate; and his conduct ought to and must always be scrupulously observant of law and ethics. For like the Court itself, 'a lawyer is an instrument or agency to advance the ends of justice.' (Surigao Mineral Conservation Board vs. Cloribel, 31 SCRA 1 [1970]; Castañeda vs. Ago, 65 SCRA 505 [1975]).

" x x x Viewed in the light of the demonstrated persistence of grave misconduct and undermining public confidence in the honor and integrity of the Court and its members (at a time when the Court is exerting every effort to regain public confidence in our courts after the trauma and debacle undergone by them in the past regime), the Court shall impose upon him an indefinite suspension, leaving it to him to prove at some future and opportune time, that he shall have once again regained the fitness to be allowed to resume the practice of law as an officer of the Courts. (In re: Almacen, 31 SCRA 562)

"ACCORDINGLY, (1) x x x x x x

"(2) Atty. Wenceslao Laureta is found guilty of grave professional misconduct, rendering him unfit to continue to be entrusted with the duties and responsibilities belonging to the office of an attorney, and is hereby suspended from the practice of law until further Orders, the suspension to take effect immediately.

"Let copies of this Resolution be circulated to all Courts of the country for their information and guidance, and spread in the personal record of Atty. Wenceslao Laureta."

Manila, March 13, 1987.

(Sgd.) LEO D. MEDIALDEA

Court Administrator

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