

In re PEDRO G. PARAISO

. August 03, 1920

Ponente: MALCOLM, J.

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MALCOLM, J.:

Section 21 of our Code of Civil Procedure makes it the duty of the Supreme Court, among other causes, to remove or suspend a member of the Philippine Bar for any deceit, malpractice, or gross misconduct in his office of lawyer. Disagreeable as such action is, this provision of law must be applied to Pedro G. Paraiso, the respondent lawyer, who attempted to obtain, and did in fact obtain, a small sum from his client which he converted to his own use through the false pretense of paying a fine in a criminal case when no fine had been imposed. The proceedings thus rest on facts criminal in nature, although not intended to determine the culpability of an accused, but instituted for the purpose of ascertaining if the lawyer is possessed of that good moral character which is a condition precedent to the privilege of practicing law and of continuing in the practice thereof. The lawyer who has thus violated his oath of office, betrayed the confidence reposed in him by a client, and practiced deceit, cannot be permitted to retain the position of a practitioner at law. Not alone has he degraded himself but as an unfaithful lawyer he has besmirched the fair name of an honorable profession.

It is therefore ordered that the license to practice law heretofore issued to Pedro G. Paraiso be suspended for six months to begin from this date. The costs shall be taxed in accordance with section 24 of the Code of Civil Procedure.

Mapa, C. J., Araullo, Avanceña, Moir and Villamor, JJ., concur.

CONCURRING

CARSON, J.,

I concur although I incline to think that the penalty is not severe enough in view of the findings.

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