

Title: In Re: Atty. Tranquilino Rovero – Reinstatement After Disbarment

Facts:

- Original Incident and Disbarment (1952):** Tranquilino Rovero was found guilty of violating Section 2703 of the Revised Administrative Code (Smuggling) by a competent court in 1952. Consequently, he was fined P2,500 and disbarred by the Supreme Court, ordered to surrender his lawyer's certificate.
- First Reinstatement Petition (1956):** Almost four years later, Rovero petitioned for reinstatement, citing the untold misery caused by his disbarment, his absolute and unconditional pardon, and his pledge to avoid future misconduct. The Court denied this petition.
- Second Reinstatement Petition (1958):** Not deterred, Rovero filed another petition for readmission, which was similarly denied by the Court.
- Third Reinstatement Effort and Rehabilitation (1980):** In his twilight years, aged 71, Rovero once again sought reinstatement, presenting evidence of his good moral character and community involvement since his disbarment. Testimonies from community leaders and certificates of character were submitted.

Procedural History:

- October 24, 1952: Rovero was disbarred following his conviction.
- July 7, 1956: Filed first petition for reinstatement – denied.
- March 10, 1958: Filed a second petition for reinstatement – denied.
- 1980: Filed this present petition for reinstatement.

Issues:

- Whether Rovero's absolute and unconditional pardon is a sufficient ground for his reinstatement to the bar.
- Whether Rovero has demonstrated sufficient rehabilitation and moral character to warrant readmission to the legal profession.

Court's Decision:

- Pardon and Guilt Reversal:** The Court noted that an absolute pardon erases not only

the crime but also the guilt, thus nullifying any legal disabilities resulting from the conviction, and this doctrine was critical in considering Rovero's readmission.

2. **Moral Rehabilitation:** The Court was persuaded by Rovero's actions post-disbarment, which showed significant engagement in civic and charitable activities, holding positions of trust, and receiving community endorsements.

3. **Passage of Time:** The Court assessed that the long interval of 28 years since disbarment coupled with Rovero's activities had served as sufficient disciplinary action.

The Court lifted Rovero's disbarment, reinstating him to the legal profession.

Doctrine:

- An absolute pardon absolves both penalty and guilt, effectively restoring all civil rights and capabilities, making the pardoned individual juridically innocent (In re Marcelino Lontok).
- Reinstatement into the legal profession is contingent upon proof of moral rehabilitation alongside compliance with professional standards of conduct.

Class Notes:

- **Key Concepts in Professional Responsibility:**
- **Good Moral Character:** Essential for admission to and reinstatement in the bar.
- **Pardons and Legal Disabilities:** Absolute pardon removes all penalties and allows opportunity for professional reinstatement.
- **Rehabilitation:** Significant involvement in community service and positions of trust post-disbarment can demonstrate rehabilitation.

Historical Background:

The case unfolds against the backdrop of the post-World War II era in the Philippines, a period characterized by efforts of recovery and nation-building. Smuggling was a notorious criminal activity, prompting stringent legal responses. Disbarments were seen as a means to uphold legal profession integrity. The case also reflects the judicial philosophy of pardon and forgiveness within the legal and moral reform context of that era, under the administration of President Magsaysay, who was known for his reformatory stance.