

****Title: Prudential Bank vs. Benjamin M. Grecia****

****Facts:****

1. Benjamin M. Grecia, a practicing lawyer, was ordered disbarred by the Supreme Court on November 12, 1987, after being found unfit to continue in his profession.
2. On December 14, 1987, Grecia filed a motion for reconsideration of the disbarment decision, which was denied on January 12, 1988.
3. Persisting, Grecia filed a "Petition for Redress and Exoneration and for Voluntary Inhibition" on February 10, 1988, seeking to overturn the previous resolutions and for the administrative complaint to be dismissed. This was denied on March 15, 1988, as it was a second motion for reconsideration filed without leave of court.
4. Grecia proceeded to request an extension of time to file another reconsideration motion on April 1988, denied on May 5, 1988.
5. On December 29, 1988, Grecia filed a "Petition for Reinstatement as a Member of the Bar," citing other cases where disbarred lawyers were reinstated. This plea was denied on June 15, 1989, as it essentially repeated earlier arguments.
6. Unyielding, Grecia filed further motions, including one with testimonies from prominent legal figures, all asking for reinstatement, which culminated in the Supreme Court noting but denying his motions through multiple resolutions between May 1989 to December 1989.
7. His wife also sent a letter on May 21, 1990, pleading for leniency due to their financial struggles; this was noted but not acted upon as of June 28, 1990.
8. On October 17, 1990, the Quezon City Chapter of the Integrated Bar of the Philippines submitted a resolution favoring Grecia's reinstatement to the Bar.
9. Grecia wrote another letter on November 21, 1990, to the Supreme Court, assuring his moral rehabilitation and readiness to adhere to legal ethics.

****Issues:****

1. Whether Benjamin M. Grecia should be reinstated as a member of the Bar after disbarment.

2. Whether Grecia has sufficiently proven moral rehabilitation and a commitment to ethical practice.

3. Whether there is a compelling reason to reconsider the finality of previously denied motions for reinstatement.

****Court's Decision:****

1. ***Reinstatement***: The decision centered on whether Grecia had proven his moral rehabilitation. The Court resolved that Grecia, through supporting testimonials from reputable legal professionals and his continuous efforts to prove moral, had met the Court's established criteria for reinstatement.

2. ***Moral Rehabilitation***: The Court analyzed testimonials from notable figures, including former Chief Justice Querube Makalintal and other respected members of the Bar. It found Grecia's character reformation genuine and believed he could be entrusted with practicing law again.

3. ***Finality of Denials***: Despite multiple denials, the Court was convinced that a shift from a "vindictive principle" of discipline to one focused on rehabilitation justified reconsideration of reinstatement.

****Doctrine:****

- The power of the Court to discipline attorneys, particularly with disbarment, is aimed at preservative rather than punitive action. Reinstatement deals with whether the disbarred attorney has demonstrated enough rehabilitation to be considered trustworthy again (In re Rusiana and In re Juan T. Publico).

****Class Notes:****

- Standard for reinstatement: Strong evidence of moral rehabilitation and fitness to practice law.

- Court relies on historical behavior, nature of the disbarred act, post-disbarment conduct, and moral character evolution.

****Historical Background:****

Traditionally, disbarment in the Philippines has been a permanent sanction, highlighting the

disciplinary role of the judiciary in maintaining ethical legal practice. However, the practice has evolved to allow rehabilitation of disbarred individuals in exceptional circumstances, provided they demonstrate significant character development and reformation. The case of Benjamin M. Grecia underscores a significant juridical shift towards considering rehabilitation potential over permanent censure.