

Title: Santiago v. Fojas, A.C. No. 3851

Facts:

1. Veronica Santiago, Benjamin Hontiveros, Ma. Socorro Manas, and Trinidad Nordista, officers of the Far Eastern University Faculty Association (FEUFA), expelled Paulino Salvador from the union. Salvador filed a complaint with the Department of Labor and Employment (DOLE) challenging his expulsion.
2. On November 22, 1990, Med-Arbiter Tomas Falconitin ruled that Salvador's expulsion was illegal, a decision upheld by the Secretary of Labor and Employment.
3. Subsequently, Salvador filed a civil case (Civil Case No. 3526-V-91) against the complainants in the Regional Trial Court (RTC) of Valenzuela City, seeking damages for the alleged illegal expulsion.
4. Atty. Amado R. Fojas, representing the complainants, initially moved to dismiss the case arguing *res judicata* due to the Med-Arbiter's ruling and citing lack of jurisdiction.
5. Although the trial court initially dismissed the case, the dismissal was reversed upon Salvador's motion for reconsideration, reinstating the case and requiring the complainants to answer within 15 days.
6. Instead of complying by answering, Atty. Fojas filed another motion for reconsideration that was denied, followed by a certiorari petition in the Supreme Court, which was referred to and dismissed by the Court of Appeals.
7. Following the adverse appellate decision, Atty. Fojas failed to file the required answer, resulting in the complainants being declared in default, and Salvador was allowed to present evidence *ex parte*.
8. The trial court ruled against the complainants, awarding Salvador P200,000.00 as moral damages, P50,000.00 as exemplary damages, and P65,000.00 as attorney's fees, which the Court of Appeals affirmed.
9. Complainants, through Atty. Fojas, moved to assail these decisions further, but in the interim filed a disbarment complaint against him citing malpractice and professional negligence without consulting them truthfully.

10. After being queried if the case should be decided on the pleadings filed, both parties agreed affirmatively.

Issues:

1. Whether Atty. Fojas was culpably negligent warranting disbarment due to failure to file an answer in corresponding civil litigation despite being legally obligated to do so.
2. Whether his justification for not filing, citing either overzealousness or burdensome workload, could absolve him of said negligence.

Court's Decision:

- The Supreme Court found Atty. Fojas guilty of negligence. His failure to file an answer was inconsistent with his obligations under Canon 18, which mandates diligence and competence.
- The reasons proffered by Atty. Fojas were unsatisfactory, being inconsistent and conflicting between claims of overzealousness and workload as impediments to filing.
- The Court ruled that an attorney's duty to their client remains paramount, requiring all cases to deserve full attention and skill, regardless of perceived merit.
- Given lack of discipline in failing attend to basic procedural requirements like filing an answer, the Court issued a reprimand against Atty. Fojas, not finding grounds sufficient for disbarment given no apparent malice or bad faith.

Doctrine:

- Lawyers owe their clients undivided fidelity, acting with diligence and candor (Canon 18, Code of Professional Responsibility).
- Failure to observe these standards, notably in procedural law, constitutes professional negligence.
- A lawyer must provide candid advice and informed assessment on case prospects; failure here was compounded by failure to communicate weak case foundations (Canon 15, Code of Professional Responsibility).

Class Notes:

- Canon 18: Responsibility and diligence as key components in legal practice.
- Rule 18.03: Negligence in handling a case renders an attorney accountable.
- Practical Application: A lawyer must prioritize timely and adequate responses to lawsuits, safeguarding clients against adverse ex parte actions resulting from defaults.

Historical Background:

- The decision reflects a strong message to legal practitioners on maintaining professional ethics and the compliance imperatives encapsulated in the Code of Professional Responsibility during the early 1990s when the legal framework was accentuating professionalism amidst burgeoning case volumes in the Philippine judicial settings.