Republic of the Philippines
Supreme Court
Manila

EN BANC

FELIPE D. LAUREL,[*]
Complainant

- versus -

REYMELIO M. DELUTE,
Respondent.

A.C. No. 12298

Present:

Present:

PERALTA, *C.J.*,
PERLAS-BERNABE,
LEONEN,
CAGUIOA,
GESMUNDO,
REYES, JR.,
HERNANDO,
CARANDANG,
LAZARO-JAVIER
INTING,
ZALAMEDA,
LOPEZ,
DELOS SANTOS,
GAERLAN, and
BALTAZAR-PADILLA,[**] *JJ.*

Promulgated:
September 1, 2020

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D E C I S I O N

***PER CURIAM*:**

Before the Court is an Affidavit-Complaint[1] filed by complainant Felipe D. Laurel (complainant) against respondent Reymelio M. Delute (respondent), seeking that the latter be disbarred for misleading and deceiving his own client.

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[*] Complainant died on April 6, 2015; see Certificate of Death of Felipe Laurel, *rollo*, p. 259.
[**] On leave.
[1] Id. at 151-152.

The Facts

In the Affidavit-Complaint filed before the Integrated Bar of the Philippines (IBP), it was alleged that complainant engaged the services of respondent as counsel in a dispute against Azucena Laurel-Velez (Azucena) involving a parcel of land that complainant inherited from his father (subject land). Sometime in 2003, respondent fetched complainant and his wife from their home to sign certain documents. Due to his lack of educational background, complainant wanted to bring his daughter (who is a college graduate) during the meeting to assist them, but respondent refused.[2]

Upon arriving at their destination, respondent represented to complainant and his wife that Azucena were to pay them partial rental payments for the land in the amount of ₱300,000.00, and in connection therewith, presented to them documents to sign. Initially, complainant refused to sign the documents as he did not understand its contents (which were written in English), but due to respondent's prodding, he eventually did. After signing the documents and before parting ways with complainant and his wife, respondent allegedly took ₱100,000.00 out of the ₱300,000.00 given by Azucena.[3]

Later on, complainant found out that, contrary to respondent's earlier representations, the documents which he signed were: (*a*) a Compromise Agreement[4] which effectively caused him to cede his rights over the land that he inherited from his father; and (*b*) a receipt stating that he received the amount of ₱300,000.00 in consideration therefor.[5] Further, he also found out that through the Compromise Agreement, respondent was granted a three (3)-meter wide perpetual road right of way on the subject land. Aggrieved not only by the lack of instruction coming from his own legal counsel but also the latter's own active incitement for him to sign these documents and double-dealing, Laurel filed the instant administrative case, seeking that respondent be disbarred.[6]

Respondent failed to file any responsive pleading despite due notice.[7]

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2 See id. at 151.
3 See id. at 151-152.
4 Dated June 12, 2003; id. at 157-159.
5 See receipt dated June 12, 2003; id. at 156.
6 See id. at 152. See also id. at 268-269.
7 Id. at 269.

The IBP's Report and Recommendation

In a Report and Recommendation[8] dated April 28, 2015, the IBP Investigating Commissioner recommended that respondent be found administratively liable and be meted with the supreme penalty of disbarment.[9]

The Investigating Commissioner found that respondent failed to conduct himself as a lawyer "with all good fidelity" to his client when he failed to explain to complainant and his wife the true import of the documents that he made them sign. Worse, it appears that respondent willfully manipulated complainant and his wife into signing the Compromise Agreement, considering the benefit he will gain from it, *i.e.*, the grant of a right of way in his favor, not to mention the ₱100,000.00 that he took from the ₱300,000.00 given to complainant. In addition, the Investigating Commissioner opined that respondent's administrative liability is further aggravated when he ignored the processes of the IBP in connection with the instant administrative complaint.[10]

In a Resolution[11] dated November 29, 2017, the IBP Board of Governors modified the Investigating Commissioner's recommendations, lowering the recommended penalty to a five (5)-year suspension from the practice of law, and further imposing a fine in the amount of ₱5,000.00 for disobeying the orders of the IBP to file responsive pleadings in the instant proceedings.[12]

Subsequent to the foregoing, respondent filed a Motion to Lift Suspension from the Practice of Law,[13] which complainant opposed.[14] In this Motion, respondent did not specifically deny the allegations in the complaint, and instead, invoked laches, contending that it took complainant nine (9) years before filing the instant administrative complaint. He likewise insisted on the validity of the Compromise Agreement, arguing, *inter alia*, that complainant already sought the declaration of nullity of the Compromise Agreement through the filing of Civil Case No. T-2497 before the Regional Trial Court of Toledo City, Cebu, Branch 50 but the suit was dismissed, albeit on the ground of lack of jurisdiction.[15]

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8 Id. at 267-273. Signed by Investigating Commissioner Jose Alfonso M. Gomos.
9 Id. at 273.
10 See id. at 270-273.
11 See Notice of Resolution in CBD Case No. 11-3244 signed by Assistant National Secretary Doroteo B. Aguila; id. at 265-266.
12 Id. at 265.
13 Dated June 18, 2018; id. at 2-17.
14 See Opposition to the Motion to Lift Suspension from Practice of Law dated July 10, 2018; id. at 106-123.
15 See id. at 2-15.

The Issue Before the Court

The issue for the Court's resolution is whether or not respondent should be held administratively liable for the acts he committed against complainant.

The Court's Ruling

Preliminarily, the Court deems it appropriate to address respondent's invocation of laches due to the supposed delay in filing the instant administrative complaint. Suffice it to say that "[t]he Court's disciplinary authority cannot be defeated or frustrated by a mere delay in filing the complaint, or by the complainant's motivation to do so. The practice of law is so intimately affected with public interest that it is both a right and a duty of the State to control and regulate it in order to promote the public welfare."[16] Hence, prescription[17] or laches[18] cannot be said to apply in disciplinary proceedings against erring lawyers, as in this case.

For another, respondent further insists that the Compromise Agreement remains to be valid, considering that the civil case filed by complainant for the declaration of its nullity, *i.e.*, Civil Case No. T-2497, had already been dismissed. Thus, it cannot be said that he manipulated and/or deceived complainant into signing the same.[19]

In this relation, the dissent[20] advances the view that the Court should refrain from passing upon the allegation that respondent manipulated and/or deceived complainant into signing the Compromise Agreement as it would necessarily delve into the validity thereof. In support, the case of *Medina v. Lizardo* (*Medina*)[21] was cited, *viz.*:

> However, we refrain from passing upon the finding of the Investigating Commissioner that Atty. Lizardo was guilty of deceit in allegedly inducing Silvestra and the heirs of Alicia into selling their interest in all three lots covered by the subject TCTs in the Extrajudicial Settlement with Sale when their purported intention was to sell only the parcels covered by TCT No. 13866. **The matter of fraud in the execution of said agreement which will have implications on its validity and legal effects must be first**

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16 *Cabanilla v. Cristal-Tenorio*, 461 Phil. 1, 16 (2003), citing *Sevilla v. Salubre*, 401 Phil. 805, 814 (2000); further citaion omitted.

17 See *Heck v. Santos*, 467 Phil. 798, 823-825 (2004) and *Calo, Jr. v. Degamo*, 126 Phil. 802, 805-806 (1967).

18 In any event, the elements of laches namely: (1) the conduct of the defendant or one under whom he claims, gave rise to the situation complained of; (2) there was delay in asserting a right after knowledge of the defendant's conduct and after an opportunity to sue; (3) defendant had no knowledge or notice that the complainant would assert his right; and (4) there is injury or prejudice to the defendant in the event relief is accorded to the complainant, have not been shown to be obtaining here for respondent's failure to show how iniquitous it would be if the complaint would not be barred. (See *Spouses Aboitiz v. Spouses Po*, 810 Phil. 123, 148; citation omitted.)

19 See Motion to Lift Suspension from the Practice of Law dated June 18, 2018; *rollo*, pp. 2-15.

20 See Dissenting and Concurring Opinion of Associate Justice Alfredo Benjamin S. Caguioa, pp. 6-10.

21 804 Phil. 599 (2017).

> **threshed out by the parties in the appropriate proceedings**.[22] (Emphasis and underscoring supplied)

Notably, *Medina* echoes a line of case law[23] stating that when a resolution of an administrative disciplinary case against a lawyer would necessarily delve into issues which are proper subjects of judicial action, it is prudent for the Court to dismiss the administrative case without prejudice to the filing of another one, depending on the final outcome of the judicial action.[24]

However, during the deliberations of this case, it was ruminated that the above-described doctrine of restraint as pronounced in the *Medina, et al.* rulings unduly fetters – and in fact, diminishes – the Court's exclusive and plenary power to discipline members of the Bar. In addition, it was highlighted that said rulings run counter to the overwhelming body of jurisprudence which consistently holds that administrative cases for the discipline of lawyers may proceed independently from civil and/or criminal cases despite involving the same set of facts and circumstances.[25]

After a careful consideration of these conflicting rulings, the Court has now decided to abandon *Medina* and other cases wherein a similar doctrine of restraint was espoused. As will be discussed below, the Court is not precluded from examining respondent's actuations in this administrative case if only to determine his fitness to remain as a member of the Bar. This is regardless of the fact that this administrative case involves similar or overlapping factual circumstances with a separate civil case.

It is well-settled that "disciplinary proceedings against lawyers are *sui generis* in that they are neither purely civil nor purely criminal; they involve investigations by the Court into the conduct of one of its officers, not the trial of an action or a suit."[26]

The Court's authority to discipline the members of the legal profession is derived from no other than its constitutional mandate to regulate the

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22 Id. at 611.

23 See *Virgo v. Amorin*, 597 Phil. 182 (2009); *Spouses Williams v. Enriquez*, 722 Phil. 102 (2013); *Felipe v. Macapagal*, 722 Phil. 439 (2013); and *Espanto v. Belleza*, 826 Phil. 412 (2018).

24 See *Felipe v. Macapagal*, id.; *Spouses Williams v. Enriquez*, id.; and *Virgo v. Amorin*, id.

25 See *In re: Felipe Del Rosario*, 52 Phil. 399 (1928); *Villanos v. Subido*, 150-A Phil. 650 (1972); *Re: Agripino A. Brillantes, Romeo R. Bringas*, 166 Phil. 449 (1977); *Pangan v. Ramos*, 194 Phil. 1 (1981); *Esquivias v. CA*, 339 Phil. 184 (1997); *Gatchalian Promotions Talents Pool, Inc. v. Naldoza*, 374 Phil. 1 (1999); *Office of the Court Administrator v. Sardido*, 449 Phil. 619 (2003); *Foronda v. Guerrero*, 479 Phil. 636 (2004); *Silva Vda. de Fajardo v. Bugaring*, 483 Phil. 170 (2004); *Po Cham v. Pizarro*, 504 Phil. 273 (2005); *Suzuki v. Tiamson*, 508 Phil. 130 (2005); *Tomlin II v. Moya II*, 518 Phil. 325 (2006); *Saludo, Jr. v. CA*, 522 Phil. 556 (2006); *Gonzalez v. Alcaraz*, 534 Phil. 471 (2006); *Hsieh v. Quimpo*, 540 Phil. 205 (2006); *Guevarra v. Eala*, 555 Phil. 713 (2007); *Yu v. Palaña*, 580 Phil. 19 (2008); *De Jesus v. Guerrero III*, 614 Phil. 520 (2009); *Bayonla v. Reyes*, 676 Phil. 500 (2011); *Bengco v. Bernardo*, 678 Phil. 1 (2012); *Spouses Saunders v. Pagano-Calde*, 766 Phil. 341 (2015); *Philcomsat Holdings Corporation v. Lokin, Jr.*, 785 Phil. 1 (2016); *Yumul-Espina v. Tabaquero*, 795 Phil. 653 (2016); *Espanto v. Belleza*, supra.

26 *Ylaya v. Gacott*, 702 Phil. 390, 406 (2013).

admission to the practice of law. Section 5 (5), Article VIII of the 1987 Constitution provides:

> ARTICLE VIII
> JUDICIAL DEPARTMENT
>
> x x x x
>
> Section 5. The Supreme Court shall have the following powers:
>
> x x x x
>
> (5) Promulgate rules concerning the protection and enforcement of constitutional rights, pleading, practice, and procedure in all courts, *the admission to the practice of law*, the integrated bar, and legal assistance to the underprivileged.
>
> x x x x

The Court's disciplinary authority over members of the Bar is in recognition of the fact that lawyers are not merely professionals, but are also considered *officers of the court*. As such, they are called upon to share in the responsibility of dispensing justice and resolving disputes in society. Hence, it cannot be denied that the Court has "**plenary disciplinary authority**" over members of the Bar.[27] As earlier intimated, in the exercise of such disciplinary powers – through proceedings which are *sui generis* in nature – the Court merely calls upon a member of the Bar to account for his actuations as an officer of the Court with the end in view of preserving the **purity of the legal profession**. In so doing, the Court aims to ensure the proper and honest administration of justice by purging the profession of members who, by their misconduct, have proven themselves no longer worthy to be entrusted with the duties and responsibilities of an attorney.[28]

In a catena of *en banc* and division cases spanning from 1928 up to 2018,[29] **the Court has consistently held that a lawyer's administrative misconduct may proceed independently from criminal and civil cases, regardless of whether or not these cases involve similar or overlapping factual circumstances**. In these cases, the Court has been consistent in ruling that **the findings in one type of case will have no determinative bearing on the others**.

In *Gatchalian Promotions Talents Pool, Inc. v. Naldoza*,[30] the Court elucidated that:

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27 See *Bernardino v. Santos*, 754 Phil. 52, 70 (2015), citing *Zaldivar v. Sandiganbayan*, 248 Phil. 542, 554-556 (1988).

28 See *Aniñon v. Sabitsana, Jr.*, 685 Phil. 322, 330 (2012).

29 See note 25.

30 374 Phil. 1 (1999).

> [A] finding of guilt in the criminal case will not necessarily result in a finding of liability in the administrative case. Conversely, respondent's acquittal does not necessarily exculpate him administratively. In the same vein, the trial court's finding of civil liability against the respondent will not inexorably lead to a similar finding in the administrative action before this Court. Neither will a favorable disposition in the civil action absolve the administrative liability of the lawyer. **The basic premise is that criminal and civil cases are altogether different from administrative matters, such that the disposition in the first two will not inevitably govern the third and *vice versa***. x x x.[31] (Emphasis and underscoring supplied)

In this relation, the Court, in *Bayonla v. Reyes*,[32] observed that "the simultaneous pendency of an administrative case and a judicial proceeding related to the cause of the administrative case, **even if the charges and the evidence to be adduced in such cases are similar**, does not result into or occasion any unfairness, or prejudice, or deprivation of due process to the parties in either of the cases."[33]

Meanwhile, in *Esquivias v. Court of Appeals*,[34] which involved a lawyer's act that was subject of both a disbarment proceeding and a related civil case for the nullity of a deed of sale, the Court held:

> [T]he judgment on the disbarment proceedings, **which incidentally touched on the issue of the validity of the deed of sale, cannot be considered conclusive** in another action where the validity of the same deed of sale is merely one of the main issues. At best, such judgment may only be given weight when introduced as evidence, **but in no case does it bind the court in the second action.**[35] (Emphases and underscoring supplied)

Verily, the independency of criminal, civil, and administrative cases from one another – irrespective of the similarity or overlap of facts – stems from the **basic and fundamental differences of these types of proceedings** in terms of purpose, parties-litigants involved, and evidentiary thresholds. *These key foundational distinctions constitute the rationale as to why a disposition in one case would not affect the other*. To briefly recount:

(1) ***As to purpose***, criminal actions are instituted to determine the penal liability of the accused for having outraged the State with his/her crime;[36] civil actions are for the enforcement or protection of a right, or the prevention or redress of a wrong;[37] while administrative disciplinary cases against lawyers are instituted in order to determine whether or not the lawyer

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31 Id. at 10.
32 676 Phil. 500 (2011).
33 Id. at
34 339 Phil. 184 (1997).
35 Id. at
36 See *Montelibano v. Yap*, 822 Phil. 262, 273 (2017), citing *Bumatay v. Bumatay*, 809 Phil. 302, 312 (2017).
37 See Section 3 (a), Rule 1 of the Rules of Court.

concerned is still fit to be entrusted with the duties and responsibilities pertaining to the office of an attorney.[38]

(2) ***As to the party-litigants involved***, criminal actions are instituted in the name of the State, *i.e.*, People of the Philippines, against the accused, and the private complainant, if any, is regarded merely as a witness for the State;[39] in civil actions, the parties are the plaintiff, or the person/entity who seeks to have his right/s protected/enforced, and the defendant is the one alleged to have trampled upon the plaintiff's right/s; in administrative proceedings against lawyers, there is no private interest involved and there is likewise no redress for private grievance as it is undertaken and prosecuted solely for the public welfare and for preserving courts of justice from the official ministration of person unfit to practice law,[40] and the complainant is also deemed as a mere witness.[41]

(3) ***As to evidentiary thresholds***, criminal proceedings require proof beyond reasonable doubt;[42] civil actions necessitate the lower threshold of preponderance of evidence;[43] and administrative disciplinary proceedings against lawyers need only substantial evidence.[44]

Again, owing to these basic and fundamental differences, a finding in one type of case should have **no binding determinative effect** in the disposition of another. *This is because a civil, criminal or administrative proceeding must be adjudged* ***according to the case type's own peculiar and distinct parameters***. Accordingly, the dissent's fear that the findings in an administrative case would undermine the findings made in a separate civil or criminal case involving related facts is a mere impression that is more notional than conceptual.[45]

In light of the foregoing, the fact that the validity of the Compromise Agreement has yet to be determined in a civil case will **not** – as it should not – preclude the Court from looking into respondent's acts in relation to the execution of the same agreement if only to determine if respondent is still

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38 See *Office of the Court Administrator v. Sardido*, 449 Phil. 619, 628-629 (2003), citing *Gatchalian Promotions Talents Pool, Inc. v. Naldoza*, supra.

39 See *Montelibano v. Yap*, supra, citing *Bumatay v. Bumatay,* supra.

40 *Yu v. Palaña*, 580 Phil. 19, 26 (2008).

41 See *Ombudsman v. Gutierrez*, 811 Phil. 389, 401 (2017), citing *Paredes v. Civil Service Commission*, 270 Phil. 165, 182 (1990).

42 See Section 2, Rule 133 of the Rules of Court.

43 See Section 1, Rule 133 of the Rules of Court.

44 See Section 5, Rule 133 of the Rules of Court. See also *Reyes v. Nieva*, 794 Phil. 360 (2016); *Arsenio v. Tabuzo*, 809 Phil. 206 (2017); *Alicias v. Baclig*, 813 Phil. 893 (2017); *Robiñol v. Bassig*, 821 Phil. 28 (2017); *Tumbaga v. Teoxon*, 821 Phil. 1 (2017); *Dela Fuente v. Dalangin*, 822 Phil. 81 (2017); *Rico v. Salutan*, 827 Phil. 1 (2018); *BSA Tower Condominium Corporation v. Reyes II*, A.C. No. 11944, June 20, 2018, 867 SCRA 12; *Gubaton v. Amador*, A.C. No. 8962, July 9, 2018, 871 SCRA 127; *Goopio v. Maglalang*, A.C. No. 10555, July 31, 2018; *Billanes v. Latido*, A.C. No. 12066, August 28, 2018; *Vantage Lighting Philippines, Inc. v. Diño, Jr.*, A.C. Nos. 7389 and 10596, July 2, 2019; *Adelfa Properties, Inc. (now Fine Properties, Inc.) v. Mendoza*, A.C. No. 8608, October 16, 2019; *Spouses Nocuenca v. Bensi*, A.C. No. 12609, February 10, 2020.

45 Awaiting opinions

worthy to remain as a member of the Bar. Thus, the dismissal of Civil Case No. T-2497 must not operate to prevent the Court from adjudging respondent's administrative liability based on such acts, which matter is separate and distinct from the question of said document's validity.

At any rate, it should be pointed out that Civil Case No. T-2497 was not dismissed on the merits but only on the procedural ground of lack of jurisdiction over the subject matter. As there was no dismissal on the merits, complainant is not barred by *res judicata*[46] and hence, may re-file the same.

At this juncture, it should be pointed out that the decision to re-file said civil case is the prerogative of complainant, and insofar as this case is concerned, still remains speculative. Thus, to follow the dissent's theory of restraint is tantamount to insinuating that the Court must first bank on complainant's resolve to re-file such civil action and then consequently await its final resolution before it can discipline an erring member of the legal profession. This insinuation is not only preposterous but also diminishes outright the Court's constitutional authority to regulate the legal profession. As case law had already expressed, "**it is not sound judicial policy to await the final resolution of [a civil or criminal case] before a complaint against a lawyer may be acted upon; otherwise, this Court will be rendered helpless to apply the rules on admission to, and continuing membership in, the legal profession during the whole period that the [said] case is pending final disposition, when the objectives of the x x x proceedings are vastly disparate**. Disciplinary proceedings involve no private interest and afford no redress for private grievance. They are undertaken and prosecuted solely for the public welfare and for preserving courts of justice from the official ministration of persons unfit to practice law. The attorney is called to answer to the court for his conduct as an officer of the court."[47]

Indeed, the Court's power to discipline members of the Bar through administrative disciplinary proceedings is not – as it should not be – beholden to the acts and decisions of private complainants, who are merely witnesses thereto.[48] The Court's disciplinary power is derived from no other than the Constitution which gives it the exclusive and plenary power to discipline erring lawyers. As earlier mentioned, the main thrust behind this authority is to preserve the purity of the legal profession, which in turn, affects the administration of justice itself. Therefore, the Court's ability to discipline unfit members of the Bar is unquestionably **imbued with great public interest** and thus, should not be hindered by extraneous circumstances that

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46 "The elements of *res judicata* are as follows: (1) the former judgment or order must be final; (2) **the judgment or order must be on the merits**; (3) it must have been rendered by a court having jurisdiction over the subject matter and the parties; (4) there must be, between the first and the second action, identity of parties, of subject matter and cause of action." (*Taganas v. Emuslan*, G.R. No. 146980, 457 Phil. 305, 311-312 [2003].)

47 *Yu v. Palaña*, supra; citations omitted.

48 See *Ombudsman v. Gutierrez*, supra, citing *Paredes v. Civil Service Commission*, supra.

are separately taken into account in criminal or civil cases which arise from a similar set of facts.

At the risk of belaboring the point, the Court's only concern in an administrative case is the determination of whether or not the lawyer involved is still fit to remain as a member of the Bar.[49] As herein applied, the only issue in this case is whether or not respondent violated his oath as lawyer by manipulating and/or deceiving complainant into signing the Compromise Agreement; **this issue is fundamentally different from the issue of the instrument's due execution and authenticity**. To resolve the latter, it is necessary that a civil action be duly instituted by complainant against the instrument's counterparty (*i.e.*, Azucena) before a court of competent jurisdiction. Said civil case will then be adjudged **based on the evidence therein submitted by the parties** and **resolved according to its own parameters** that are separate and distinct from the instant administrative proceeding.[50] To highlight the disparity, it must be pointed out that, among others: (*a*) Azucena is not even a party to this case, and thus, has not submitted his own evidence to uphold the Compromise Agreement; (*b*) the evidentiary threshold to be used in the prospective civil case is preponderance of evidence which is entirely different from substantial evidence as utilized in this case; and (*c*) in invalidating the Compromise Agreement, the civil principle that "he who alleges fraud or mistake affecting a transaction must substantiate his allegation, since it is presumed that a person takes ordinary care of his concerns and that private transactions have been fair and regular,"[51] will be followed, whereas in this administrative case, these presumptions do not attend.

For all the foregoing reasons, the Court should not shirk from its responsibility to holistically examine respondent's actuations that resulted into complainant's signing of the Compromise Agreement, and consequently, impose the appropriate disciplinary sanction/s based thereon.

The Code of Professional Responsibility (CPR), particularly, Canon 1 and Rule 1.01 thereof, provide:

> CANON 1. – A LAWYER SHALL UPHOLD THE CONSTITUTION, OBEY THE LAWS OF THE LAND AND PROMOTE RESPECT FOR LAW AND LEGAL PROCESSES.
>
> Rule 1.01 – A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.
>
> x x x x

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49 See *Yu v. Palaña*, supra note 40, at 26-27.

50 See *Esquivias v. Court of Appeals*, supra note 34, at 193-194.

51 *Spouses Ramos v. Obispo*, 705 Phil. 221, 230 (2013).

Based on jurisprudence, the foregoing postulates instruct that "as officers of the court, lawyers are bound to maintain not only a high standard of legal proficiency, but also of morality, honesty, integrity, and fair dealing."[52]

Clearly, respondent fell short of these ethical standards when he deceived and strong-armed complainant and his wife into signing documents which effectively waived their rights and interests over the land that complainant inherited from his father.

Not only that, respondent, through his acts of double-dealing, also violated Canon 15 and Rule 15.03 of the CPR, which read:

> CANON 15 — A LAWYER SHALL OBSERVE CANDOR, FAIRNESS AND LOYALTY IN ALL HIS DEALINGS AND TRANSACTIONS WITH HIS CLIENTS.
>
> x x x x
>
> Rule 15.03 – A lawyer shall not represent conflicting interests except by written consent of all concerned given after a full disclosure of facts.
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> x x x x

Case law provides that "[i]t behooves lawyers, not only to keep inviolate the client's confidence, but also to avoid the appearance of treachery and double-dealing for only then can litigants be encouraged to entrust their secrets to their lawyers, which is of paramount importance in the administration of justice. The nature of that relationship is, therefore, one of trust and confidence of the highest degree."[53] In this case, respondent breached these ethical standards when he personally profited from the signing of the Compromise Agreement by his client, and even resorted to manipulation in conspiracy with Azucena, the other party.

Respondent's acts further contravene Canons 17 and 18 of the CPR which state that:

> CANON 17 — A LAWYER OWES FIDELITY TO THE CAUSE OF HIS CLIENT AND HE SHALL BE MINDFUL OF THE TRUST REPOSED IN HIM.
>
> x x x x
>
> CANON 18 — A LAWYER SHALL SERVE HIS CLIENT WITH COMPETENCE AND DILIGENCE.
>
> x x x x

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52 *Spouses Lopez v. Limos*, 780 Phil. 113, 112 (2016), citing *Tabang v. Gacott*, 713 Phil. 578, 593 (2013).

53 *Paces Industrial Corporation v. Salandanan*, 814 Phil. 93, 101 (2017).

Jurisprudence explains that once a lawyer agrees to handle a case, he is required to undertake the task with zeal, care, and utmost devotion. Every case which a lawyer accepts deserves full attention, diligence, skill, and competence, regardless of its importance.[54] Thus, clients are led to expect that lawyers would always be mindful of their cause and, accordingly, exercise the required degree of diligence in handling their affairs. On the other hand, a lawyer is expected to maintain, at all times, a high standard of legal proficiency, and to devote his full attention, skill, and competence to the case, regardless of its importance and whether or not he accepts it for a fee.[55]

Here, respondent not only neglected his duty to protect his own client's interests by failing to explain the true import of the Compromise Agreement; worse, he literally sold out his client's cause in order to gain personal benefits. As mentioned, it is **unrebutted** that respondent received (*a*) a ₱100,000.00 cut from the ₱300,000.00 paid by Azucena to complainant and his wife, and (*b*) a three (3)-meter wide perpetual road right of way on the subject land. Anent the latter, item no. 3 of the Compromise Agreement reads:

> 3. The oppositor [*i.e.*, Azucena] and Gamaliel Casas shall grant to Atty. Reymelio M. Delute, his heirs and assigns, a three-meter wide perpetual road right of way on the subject Lot 4-C, from Atty. Delute's adjoining lot to the nearest public road, which road right of way shall be made into accessible road at the sole expense of the oppositor;[56]

As the Court observes, the straightforwardness and believability of the allegations in the complaint, as buttressed by the benefits received by respondent appearing on the Compromise Agreement, when taken together with respondent's failure to rebut the same despite due notice, already constitute substantial evidence to hold him administratively liable. "It is fundamental that the quantum of proof in administrative cases is substantial evidence. **Substantial evidence is that amount of relevant evidence as a reasonable mind might accept as adequate to support a conclusion, even if other minds, equally reasonable, might conceivably opine otherwise.**"[57]

In closing, the Court must not turn a blind eye away from complainant's claim of misrepresentation based on the mistaken notion that looking into the same will affect a still non-existent civil case to be instituted for the purpose of annulling the agreement in question, as what the dissent proposes. In this case, the Court must focus on the fact that respondent's behavior and deceit demonstrated a preference of self-gain that transgressed his sworn duty of fidelity, loyalty, and devotion to his client's cause, and that his betrayal of the

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54 See *San Gabriel v. Sempio*, A.C. No. 12423, March 26, 2019, citing *Padilla v. Samson*, 816 Phil. 954, 956-957 (2017).

55 See id., citing *Padilla v. Samson*, id. at 958.

56 *Rollo*, pp. 157-158.

57 *Gubaton v. Amador*, 871 Phil. 127, 133 (2018).

trust reposed on him by his client besmirched the honorable name of the Law Profession.[58]

In *Tan v. Diamante*,[59] the Court held:

> **Deception and other fraudulent acts by a lawyer are disgraceful and dishonorable.** They reveal moral flaws in a lawyer. They are unacceptable practices. A lawyer's relationship with others should be characterized by the highest degree of good faith, fairness and candor. This is the essence of the lawyer's oath. The lawyer's oath is not mere facile words, drift and hollow, but a sacred trust that must be upheld and keep inviolable. The nature of the office of an attorney requires that he should be a person of good moral character. This requisite is not only a condition precedent to the admission to the practice of law, its continued possession is also essential for remaining in the practice of law. We have sternly warned that **any gross misconduct of a lawyer, whether in his professional or private capacity, puts his moral character in serious doubt as a member of the Bar, and renders him unfit to continue in the practice of law.**[60] (Emphases and underscoring in the original)

In the above case, the erring lawyer was meted with the supreme penalty of disbarment.

Similarly, in the cases of *Krursel v. Abion*,[61] *HDI Holdings Philippines, Inc. v. Cruz*,[62] *Billanes v. Latido*,[63] *Justice Lampas-Peralta v. Ramon*,[64] and *Domingo v. Sacdalan*,[65] the erring lawyers therein committed reprehensible acts against their clients which were found to constitute malpractice, gross negligence, and gross misconduct in the performance of their duties as attorneys. According to the Court, their commission of such acts rendered them unfit to continue discharging the trust reposed in them as members of the Bar.

Likewise, for respondent's acts of self-interested double dealing that led to the detriment of his own client which he has paradoxically sworn to defend and protect, respondent should be disbarred from the practice of law.

WHEREFORE, the Court finds respondent Reymelio M. Delute **GUILTY** of violating Rule 1.01, Canon 1, Rule 15.03, Canon 15, Canon 17, and Canon 18 of the Code of Professional Responsibility. Accordingly, he is hereby **DISBARRED** from the practice of law, and his name ordered **STRICKEN OFF** the Roll of Attorneys, effective immediately.

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58 *Spouses Jacinta v. Bangot, Jr.*, 796 Phil. 302, 317 (2016).
59 740 Phil. 382 (2014).
60 Id. at 391, citing *Sebastian v. Calis*, 372 Phil. 673, 679 (1999).
61 789 Phil. 584 (2016).
62 See A.C. No. 11724, July 31, 2018.
63 See A.C. No. 12066, August 28, 2018.
64 See A.C. No. 12415, March 5, 2019.
65 See A.C. No. 12475, March 26, 2019.

Let copies of this Decision be furnished to: (1) the Office of the Bar Confidant to be appended to respondent's personal record as an attorney; (2) the Integrated Bar of the Philippines for its information and guidance; and (3) the Office of the Court Administrator for circulation to all courts in the country.

SO ORDERED.

DIOSDADO M. PERALTA
Chief Justice

See separate concurring opinion

ESTELA M. PERLAS-BERNABE
Senior Associate Justice

See Dissenting & Concurring Opinion

MARVIC M.V.F. LEONEN
Associate Justice

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

ALEXANDER G. GESMUNDO
Associate Justice

See Concurring & Dissenting Opinion

JOSE C. REYES, JR.
Associate Justice

RAMON PAUL L. HERNANDO
Associate Justice

ROSMARI D. CARANDANG
Associate Justice

AMY C. LAZARO-JAVIER
Associate Justice

HENRI JEAN PAUL B. INTING
Associate Justice

I join the Dissenting and Concurring Opinion of J. Caguioa

RODIL V. ZALAMEDA
Associate Justice

MARIO V. LOPEZ
Associate Justice

EDGARDO L. DELOS SANTOS
Associate Justice

SAMUEL H. GAERLAN
Associate Justice

On Leave
PRISCILLA J. BALTAZAR-PADILLA
Associate Justice

CERTIFIED TRUE COPY

EDGAR O. ARICHETA
Clerk of Court En Banc
Supreme Court