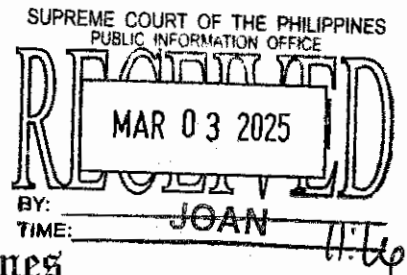




Republic of the Philippines
Supreme Court
Manila



EN BANC

**MARIA CHARISSE ANN
SUCGANG-PEREZ,***

Complainant,

A.C. No. 13959

**[Formerly CBD Case No. 22-
6628]**

Present:

GESMUNDO, C.J.,
LEONEN,
CAGUIOA,
HERNANDO,
LAZARO-JAVIER,
INTING,
ZALAMEDA,
LOPEZ, M.,
GAERLAN,
ROSARIO,**
LOPEZ, J.,
DIMAAMPAO,
MARQUEZ,
KHO, JR., and
SINGH,** JJ.

- versus -

**ATTY. MA. AURORA PAREDES
SORE-ROMANO,****

Respondent.

Promulgated:

November 26, 2024

DECISION

DIMAAMPAO, J.:

This Verified Complaint¹ lodged by complainant Maria Charisse Ann Sugcang-Perez (Sugcang-Perez) seeks the disbarment of respondent Atty. Ma.

* Maria Charisee Ann Sugcang Perez on the cover of the *rollo*.

** Also referred to as Atty. Ma. Aurora Paredes Sore Romano in some parts of the *rollo*.

*** On official business.

¹ *Rollo*, pp. 4-26.

Aurora Paredes Sore-Romano (Atty. Sore-Romano) and the refund of attorney's fees for infractions of the Code of Professional Responsibility (CPR).

The Facts

In her complaint, Suggang-Perez averred that due to the abuses she suffered from her husband, she decided to file an action for declaration of nullity of their marriage after she left their family home with her children. However, she did not know any lawyer who can represent her. Eventually, Suggang-Perez came across Atty. Sore-Romano's website, which contained her professional credentials, details of her expertise in family law and annulment proceedings, as well as her extensive legal practice exceeding 15 years. Impressed by these qualifications, Suggang-Perez inquired about Atty. Sore-Romano's services and met with her.²

Following their initial discussion, Atty. Sore-Romano sent a Proposal³ to Suggang-Perez on June 3, 2019. They agreed that Suggang-Perez would pay Atty. Sore-Romano the amount of PHP 203,000.00 as acceptance fee. This would cover the conduct of an initial study of the case, the drafting of pleadings and related documents, the engagement of a clinical psychologist who will prepare the psychological evaluation report, and other legal services necessary to the case.⁴

As it happened, Suggang-Perez issued Eastwest Bank Check No. 62809 dated June 8, 2019 in the amount of PHP 203,000.00. In turn, Atty. Sore-Romano issued an Acknowledgment Receipt⁵ after receiving the amount as full payment for handling the case.⁶ She then instructed Suggang-Perez to organize the pertinent documents for the case and undergo a psychological evaluation to be administered by Dr. Arnulfo V. Lopez (Dr. Lopez).⁷

On June 4, 2020, Suggang-Perez completed her psychological evaluation with Dr. Lopez. However, she later discovered that Dr. Lopez's professional fee remained unpaid, contrary to her prior agreement with Atty. Sore-Romano. This prompted Suggang-Perez to send an email to Atty. Sore-Romano to verify Dr. Lopez's claim, but it went unanswered. After several follow-ups, Atty. Sore-Romano confirmed on June 23, 2020, that she indeed paid Dr. Lopez.⁸

² *Id.* at. 5-6.

³ *Id.* at. 27-29.

⁴ *Id.* at. 7.

⁵ *Id.* at. 31.

⁶ *Id.* at. 7.

⁷ *Id.* at. 8.

⁸ *Id.* at. 8-9.

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Thereafter, Sugang-Perez no longer received updates from Atty. Sore-Romano despite persistent attempts to communicate with her. On December 30, 2020, a certain Emilio Martin A. Borja (Borja) introduced himself as part of the litigation support services of Atty. Sore-Romano's firm, who was tasked to prepare the petition to be filed in court.⁹ Notwithstanding his assurances that the pleading would be filed at the soonest possible time, Borja informed Sugang-Perez that the filing of the petition would be delayed due to a discrepancy in the prayer for reliefs which he wrote and that prepared by Atty. Sore-Romano. Sugang-Perez then learned that she would be assisted by a certain Atty. Gerard Gaerlan (Atty. Gaerlan) owing to Atty. Sore-Romano's other commitments in Marinduque. Curiously, Atty. Gaerlan apprised her that another person from Atty. Sore-Romano's firm would file the petition instead of him.¹⁰

Things took a turn when Atty. Gaerlan informed Sugang-Perez on January 28, 2021 that the petition was still unsigned and the annexes were in disarray. He told Sugang-Perez that he was only instructed to assist Atty. Sore-Romano in filing the petition. Moreover, Atty. Gaerlan disclosed that several other clients had similar complaints against Atty. Sore-Romano. Alarmed by this revelation, Sugang-Perez bombarded Atty. Sore-Romano with calls, text messages, emails, and messages through Facebook Messenger, to no avail.¹¹

In light of the preceding developments, Sugang-Perez advised Atty. Sore-Romano's law firm on February 3, 2021 that she would just ask for the refund of the acceptance fee and the return of all documents relative to the case. She also expressed her desire for Atty. Gaerlan to attend to her case. It was only then that Atty. Sore-Romano took it upon herself to file the petition.¹²

Significantly, Atty. Sore-Romano went to Sugang-Perez's residence on February 9, 2021, requesting a chance to redeem herself. On even date, she presented a Memorandum of Agreement¹³ which stated that the petition would be updated and filed by the end of that business day. Likewise, Atty. Sore-Romano undertook to return the acceptance fee should she fail to comply with the terms of their new arrangement or incur further delay. To finish the petition on time, Atty. Sore-Romano and her staff worked in Sugang-Perez's house using her resources, including her printer and paper. Atty. Sore-Romano also asked her to prepare food for them.¹⁴

⁹ *Id.*

¹⁰ *Id.* at 9–10.

¹¹ *Id.* at 11–12.

¹² *Id.* at 12.

¹³ *Id.* at 65.

¹⁴ *Id.* at 12–13.

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Ultimately, the petition was lodged before the Regional Trial Court (RTC) of Antipolo City on February 9, 2021. Soon after, Suggang-Perez tried to reach Atty. Sore-Romano regarding the scheduled collusion hearing, but her efforts were futile. As Atty. Sore-Romano slipped back to her old ways, Suggang-Perez felt helpless.¹⁵

In the meantime, the RTC issued an Order¹⁶ on March 1, 2021, dismissing the petition outright due to several procedural infirmities. For one, the petition lacked the proper verification. For another, it was bereft of any documentary evidence as required under Rule 7, Section 6 of the 2019 Revised Rules on Civil Procedure.¹⁷ In this regard, the judicial affidavits of Suggang-Perez's witnesses or any other competent evidence to establish the existence of juridical antecedence, gravity, and incurability of the psychological incapacity of Suggang-Perez's husband were not attached to the petition.¹⁸

Due to the lack of communication with Atty. Sore-Romano, Suggang-Perez directly inquired about the status of the case with the trial court. At that point, she discovered that the petition had been dismissed, prompting her to terminate the services of Atty. Sore-Romano's law firm. Worse, she found out that the psychological evaluation report attached to the petition remained unsigned, as Atty. Sore-Romano only paid Dr. Lopez PHP 15,000.00 on June 23, 2020, with the balance of PHP 35,000.00 still outstanding.¹⁹

On April 19, 2021, Suggang-Perez sent an email to Atty. Sore-Romano's firm requesting the full refund of the acceptance fee, giving her until April 23, 2021 to satisfy her demand. In the same vein, she sent a Termination Notice and Demand for Full Refund to Atty. Sore-Romano's known addresses. For good measure, Suggang-Perez sent her final demand,

¹⁵ *Id.* at 14; 15.

¹⁶ *Id.* at 69–70. The March 1, 2021 Order in Civil Case No. 21-12460 was penned by Presiding Judge Gay Marie F. Lubigan-Rafael of Branch 73, Regional Trial Court, Antipolo City.

¹⁷ Rule 7, sec. 6 states —
Rule 7

PARTS AND CONTENTS OF A PLEADING

.....
SECTION 6. *Contents.* — Every pleading stating a party's claims or defenses shall, in addition to those mandated by Section 2, Rule 7, state the following:


(a) Names of witnesses who will be presented to prove a party's claim or defense;

(b) Summary of the witnesses' intended testimonies, provided that the judicial affidavits of said witnesses shall be attached to the pleading and form an integral part thereof. Only witnesses whose judicial affidavits are attached to the pleading shall be presented by the parties during trial. Except if a party presents meritorious reasons as basis for the admission of additional witnesses, no other witnesses or affidavit shall be heard or admitted by the court; and

(c) Documentary and object evidence in support of the allegations contained in the pleading.

¹⁸ *Rollo*, pp. 69–70.

¹⁹ *Id.* at 15.



giving Atty. Sore-Romano until June 30, 2021 to comply. Still and all, her clamors went unheeded.²⁰

Inevitably, Suggang-Perez filed a complaint against Atty. Sore-Romano with the Integrated Bar of the Philippines (IBP). Suggang-Perez asserted that Atty. Sore-Romano's duty of fidelity to her cause arose upon payment of the acceptance fee. In other words, every case that a lawyer accepts deserved full attention, skill, and competence. On this score, she claimed that Atty. Sore-Romano violated the CPR when she abandoned her case without any justification despite receipt of the professional fee. Suggang-Perez also maintained that Atty. Sore-Romano did not exert efforts to update her on the status of the case.²¹

Moreover, Suggang-Perez avowed that Atty. Sore-Romano breached her duty to keep abreast of legal developments, recent enactments, and jurisprudence. In spite of her background as family law and marriage annulment expert with 15 years of law practice under her belt, Atty. Sore-Romano was woefully unaware of the amendments introduced by the 2019 Revised Rules on Civil Procedure, resulting in the dismissal of the case on a mere technicality.²²

Finally, Suggang-Perez contended that it was Atty. Sore-Romano's duty to handle her client's money properly to prevent misuse. This, she failed to do when Dr. Lopez was not paid in full and when she used her client's personal resources to finish the petition. Such actions set off the presumption that Atty. Sore-Romano appropriated the money for herself.²³

The IBP directed Atty. Sore-Romano to file her answer to the complaint,²⁴ but the same fell on deaf ears. Thereupon, the case was set for mandatory conference,²⁵ but it was terminated as only Suggang-Perez complied with the directive of the IBP. Accordingly, the IBP required the parties to submit their respective position papers.²⁶ As with previous instances, Atty. Sore-Romano did not heed the instruction to file her position paper.²⁷

In due course, Investigating Commissioner Christian E. Chan (Commissioner Chan) of the IBP Commission on Bar Discipline (IBP-CBD),

²⁰ *Id.* at 16-17.

²¹ *Id.* at 20.

²² *Id.* at 21.

²³ *Id.* at 22-23.

²⁴ *Id.* at 74.

²⁵ *Id.* at 75-76.

²⁶ *Id.* at 81.

²⁷ *Id.* at 118.



rendered a Report and Recommendation²⁸ finding Atty. Sore-Romano guilty of violating Canon 1, Rule 1.01²⁹, Canon 17³⁰, and Canon 18, Rules 18.03 and 18.04³¹ of the CPR, for which she should be meted the penalty of three years suspension from practice of law as well as a fine of PHP 5,000.00 for her refusal to obey the orders of the IBP. Commissioner Chan also recommended that the acceptance fee in the amount of PHP 203,000.00 be returned to Sucgang-Perez.

Ensuingly, the IBP Board of Governors (IBP Board) issued a Notice of Resolution³² adopting and approving the recommendation that Atty. Sore-Romano be suspended from the practice of law for three years. The fine was increased to PHP 20,000.00 in view of her failure not only to submit the required answer, mandatory conference brief, position paper, but also to attend the mandatory conference. Notably, the IBP Board set aside the recommendation to return the acceptance fee on the ground that legal services were already rendered by Atty. Sore-Romano.

Issue

Discernibly, the jugular issue before this Court is whether Atty. Sore-Romano's acts warrant her disbarment from the practice of law.

The Court's Ruling

An assiduous study of the records of the case yields to the conclusion that Atty. Sore-Romano violated the Code of Professional Responsibility and Accountability (CPRA). However, a further modification of the recommended penalties is in order.

Incipiently, the new Code of Professional Responsibility and Accountability³³ (CPRA) governs the ethical standards imposed upon Filipino

²⁸ *Id.* at 116–123.

²⁹ Canon 1 – A lawyer shall uphold the Constitution, obey the laws of the land and promote respect for law of and legal processes.

Rule 1.01 – A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

³⁰ Canon 17 – A lawyer owes fidelity to the cause of his client and he shall be mindful of the trust and confidence reposed in him.

³¹ Canon 18 – A lawyer shall serve his client with competence and diligence.

....
Rule 18.03 – A lawyer shall not neglect a legal matter entrusted to him, and his negligence in connection therewith shall render him liable.

Rule 18.04 – A lawyer shall keep the client informed of the status of his case and shall respond within a reasonable time to the client's request for information.

³² *Rollo*, pp. 114–115.

³³ A.M. No. 22-09-01-SC, April 11, 2023.

lawyers. This new code is applicable to all pending cases such as the instant complaint.³⁴

As will be discussed *in seriatim*, the Court is in accord with the IBP's finding that Atty. Sore-Romano was remiss in performing her duties to proficiently advocate for Sugang-Perez's cause. Invariably, Atty. Sore-Romano breached multiple provisions of the CPRA.

Canon 1, Rule 1.01 of the CPR is reproduced as Canon II, Section 1 of the CPRA, viz.:

CANON II PROPRIETY

A lawyer shall, at all times, act with propriety and maintain the appearance of propriety in personal and professional dealings, observe honesty, respect and courtesy, and uphold the dignity of the legal profession consistent with the highest standards of ethical behavior.

Section 1. *Proper conduct.* — A lawyer shall not engage in unlawful, dishonest, immoral, or deceitful conduct.

In *Bihag v. Atty. Era*,³⁵ the Court succinctly described dishonest and deceitful acts, thusly:

To be "dishonest" means having the disposition to lie, cheat, deceive, defraud or betray; be untrustworthy; lacking in integrity, honesty, probity, integrity in principle, fairness and straightforwardness. On the other hand, conduct that is "deceitful" means having the proclivity for fraudulent and deceptive misrepresentation, artifice or device that is used upon another who is ignorant of the true facts, to the prejudice and damage of the party imposed upon. In order to be deceitful, the person must either have knowledge of the falsity or acted in reckless and conscious ignorance thereof, especially if the parties are not on equal terms, and was done with the intent that the aggrieved party act thereon, and the latter indeed acted in reliance of the false statement or deed in the manner contemplated to his injury.³⁶

In retrospect, Sugang-Perez remitted PHP 203,000.00 to Atty. Sore-Romano, comprising the latter's acceptance fee and Dr. Lopez's professional fee. However, Sugang-Perez was later informed by Dr. Lopez that she had an outstanding balance of PHP 35,000.00 for her professional services.³⁷

³⁴ GENERAL PROVISIONS

SECTION 1. Transitory Provision. The CPRA shall be applied to all pending and future cases, except to the extent that in the opinion of the Supreme Court, its retroactive application would not be feasible or would work injustice, in which case the procedure under which the cases were filed shall govern.

³⁵ 916 Phil. 174 (2021) [*Per Curiam, En Banc*].

³⁶ *Id.* at 182–183.

³⁷ *Rollo*, p. 72, Electronic mail dated April 15, 2021.

At this juncture, it bears stressing that there is dearth of evidence to show that Atty. Sore-Romano relayed to Sugang-Perez that Dr. Lopez did not receive full compensation for his services. On the contrary, she merely informed Sugang-Perez via text message³⁸ that she already requested Dr. Lopez to process her documents, giving the impression that the professional fee of the clinical psychologist had been fully settled. Her dishonesty was bolstered by her blatant disregard of Sugang-Perez's efforts to clarify as to why only partial payment was made to Dr. Lopez.

Moreover, the IBP Board correctly found Atty. Sore-Romano negligent in handling Sugang-Perez's case. By filing a petition marred with procedural infirmities, thereby leading to its outright dismissal, she violated Canon IV, Sections 1, 3, 4, and 6, of the CPRA—

CANON IV COMPETENCE AND DILIGENCE

A lawyer professionally handling a client's cause shall, to the best of his or her ability, observe competence, diligence, commitment, and skill consistent with the fiduciary nature of the lawyer-client relationship, regardless of the nature of the legal matter or issues involved, and whether for a fee or *pro bono*.

....

SECTION 1. *Competent, efficient and conscientious service.* — A lawyer shall provide legal service that is competent, efficient, and conscientious. A lawyer shall be thorough in research, preparation, and application of the legal knowledge and skills necessary for an engagement.

....

SECTION 3. *Diligence and punctuality.* — A lawyer shall diligently and seasonably act on any legal matter entrusted by a client.

A lawyer shall be punctual in all appearances, submissions of pleadings and documents before any court, tribunal or other government agency, and all matters professionally referred by the client, including meetings and other commitments.

SECTION 4. *Diligence in all undertakings.* — A lawyer shall observe diligence in all professional undertakings, and shall not cause or occasion delay in any legal matter before any court, tribunal, or other agency.

³⁸ *Id.* at 49.

A lawyer shall appear for trial adequately familiar with the law, the facts of the case, and the evidence to be presented. A lawyer shall also be ready with the object and documentary evidence, as well as the judicial affidavits of the witnesses, when required by the rules or the court.

....

SECTION 6. *Duty to update the client.* — A lawyer shall regularly inform the client of the status and the result of the matter undertaken, and any action in connection thereto, and shall respond within a reasonable time to the client's request for information.

In this case, the negligence of Atty. Sore-Romano on multiple occasions is extant from the records of this case.

One. Sucgang-Perez engaged the services of Atty. Sore-Romano in June 2019 and completed her psychological evaluation with Dr. Lopez on June 4, 2020. However, Atty. Sore-Romano filed the petition before the trial court only on February 9, 2021 sans any justification for the belated filing. Tellingly, when Sucgang-Perez inquired about the status of her case, a person other than Atty. Sore-Romano provided her with the requested information.³⁹

The Court is aware of the provision in the proposal for the engagement of Atty. Sore-Romano's legal services⁴⁰ authorizing the engagement of a collaborating counsel. Even before the petition was filed in court, Sucgang-Perez was made aware that she would be assisted by Atty. Gaerlan. However, Atty. Sore-Romano failed to finish drafting the petition on time. Her negligence and delay were further magnified and acknowledged in the Memorandum of Agreement which stipulated that the acceptance fee would be returned to Sucgang-Perez should she fail to file the petition on February 9, 2021. Verily, Atty. Sore-Romano's incessant delays demonstrate a breach of Canon IV, Section 3 of the CPRA.

Two. Atty. Sore-Romano infringed Canon IV, Sections 1 and 4 of the CPRA by filing a fatally defective petition before the RTC. With all the opportunities afforded to her, Atty. Sore-Romano still failed to observe the prevailing rules of procedure. To recapitulate, the RTC considered the petition as an unsigned pleading due to lack of proper verification. Likewise, no documentary evidence was appended to the petition, in violation of Rule 7,

³⁹ *Rollo*, pp. 53–54.

⁴⁰ *Id.* at 27–29.

Section 6⁴¹ of the 2019 Amendments to the 1997 Rules of Civil Procedure⁴² (2019 Amendments). This blunder could have easily been prevented if Atty. Sore-Romano was prudent enough in her research, as the 2019 Amendments took effect on May 1, 2020 or almost nine months before the incipience of Sugang-Perez's annulment case. Indeed, Sugang-Perez was denied her day in court due to Atty. Sore-Romano's carelessness.

Three. Atty. Sore-Romano failed to seasonably respond to Sugang-Perez's multiple requests for updates on the status of her case. What is more, she neglected informing her client about the dismissal of the petition, which act ran afoul of Canon IV, Section 6 of the CPRA. Had it not been for Sugang-Perez's own efforts to visit the RTC herself, she would not have known about the fate of her cause.⁴³

Lastly, it does not escape the attention of the Court that Atty. Sore-Romano willfully disobeyed the orders of IBP. On three separate occasions, she was directed to file her answer to the complaint, attend the mandatory conference, and file her position paper, all for naught. A perusal of the records shows that out of the three notices, only the third notice was not delivered.⁴⁴ Nevertheless, she did not comply with the first two notices from IBP. To this end, deliberate disobedience to the orders of the IBP in an administrative case is considered a less serious offense under the CPRA.⁴⁵

The Proper Penalties

The advent of the CPRA necessitates the modification of the recommended penalties. Canon VI, Section 40 provides that when the respondent lawyer is found liable for more than one offense arising from

⁴¹ SECTION 6. *Contents.* — Every pleading stating a party's claims or defenses shall, in addition to those mandated by Section 2, Rule 7, state the following:

- (a) Names of witnesses who will be presented to prove a party's claim or defense;
- (b) Summary of the witnesses' intended testimonies, provided that the judicial affidavits of said witnesses shall be attached to the pleading and form an integral part thereof. Only witnesses whose judicial affidavits are attached to the pleading shall be presented by the parties during trial. Except if a party presents meritorious reasons as basis for the admission of additional witnesses, no other witness or affidavit shall be heard or admitted by the court; and
- (c) Documentary and object evidence in support of the allegations contained in the pleading.

⁴² A.M. No. 19-10-20-SC.

⁴³ *Rollo*, p. 15.

⁴⁴ *Id.* at 105–111.

⁴⁵ Canon VI, sec. 34(c) states:

SECTION 34. *Less serious offenses.* — Less serious offenses include:

- (c) Violation of Supreme Court rules and issuances in relation to Bar Matters and administrative disciplinary proceedings, including willful and deliberate disobedience of the orders of the Supreme Court and the IBP[.]

separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense.⁴⁶

Additionally, when one or more aggravating circumstances and no mitigating circumstances are present, the Court may impose the penalties of suspension or fine for a period or amount not exceeding double of the maximum.⁴⁷

The Court discerns the presence of two aggravating circumstances in the case at bench: *one*, a previous administrative infraction in *Hamlin v. Atty. Sore-Romano*⁴⁸ where she was previously suspended from the practice of law for three months for committing violations of Canon 1-A, Canon 1.01, Canon 16, and Canon 17 of the Code of Professional Responsibility;⁴⁹ and *two*, the number of years, i.e., 15, spent by Atty. Sore-Romano in the practice of law.⁵⁰

In the case at bench, Atty. Sore-Romano committed four infractions from four independent acts. Thence, each violation warrants a separate penalty. Taking into account the existence of two aggravating circumstances, the imposition of a higher penalty for each offense is also warranted.

First. Atty. Sore-Romano was dishonest when she told Sugang-Perez that Dr. Lopez's services were fully paid when she only remitted a partial amount. Such act constitutes *simple dishonesty*, which is considered as a less serious offense under Canon VI, Section 34(d)⁵¹ and punishable by suspension from the practice of law for one to six months or a fine of PHP 35,000.00 to PHP 100,000.00, or a combination of the stipulated sanctions.⁵²

⁴⁶ SECTION 40. *Penalty for multiple offenses.* – If the respondent is found liable for more than one (1) offense arising from separate acts or omissions in a single administrative proceeding, the Court shall impose separate penalties for each offense. Should the aggregate of the imposed penalties exceed five (5) years of suspension from the practice of law or [PHP]1,000,000.00 in fines, the respondent may, in the discretion of the Supreme Court, be meted with the penalty of disbarment.

If a single act or omission gives rise to more than one (1) offense, the respondent shall still be found liable for all such offenses, but shall, nonetheless, only be meted with the appropriate penalty for the most serious offense.

⁴⁷ Canon VI, sec. 39 states:

SECTION 39. *Manner of imposition.* – If one (1) or more aggravating circumstances and no mitigating circumstances are present, the Supreme Court may impose the penalties of suspension or fine for a period or amount not exceeding double of the maximum prescribed under this Rule. The Supreme Court may, in its discretion, impose the penalty of disbarment depending on the number and gravity of the aggravating circumstances.

If one (1) or more mitigating circumstances and no aggravating circumstances are present, the Supreme Court may impose the penalties of suspension or fine for a period or amount not less than half of the minimum prescribed under the CPRA.

If there are both aggravating and mitigating circumstances present, the Supreme Court may offset each other.

⁴⁸ A.C. No. 12728, October 13, 2021 [Notice, Second Division].

⁴⁹ CPRA, Canon VI, sec. 38(b)(1).

⁵⁰ CPRA, Canon VI, sec. 38(b)(3).

⁵¹ SECTION 34. *Less serious offenses.* – Less serious offenses include:

....
(d) Simple dishonesty[.]

⁵² CPRA, Canon VI, sec. 37(b).

Accordingly, the Court finds that Atty. Sore-Romano should be suspended from the practice of law for one year and be made to pay a fine of PHP 200,000.00.

Second. Atty. Sore-Romano failed to apprise Sugang-Perez about the status of the case during the preparation of the petition and its subsequent dismissal by the RTC. She only heeded to her client's queries when Sugang-Perez threatened to terminate the legal services of her law firm and demanded that the acceptance fee be returned. Ineludibly, Atty. Sore-Romano failed to abide by her duty to inform Sugang-Perez of the status of the case within a reasonable time to the request for information.⁵³ To the Court's mind, such omission constitutes simple negligence.

Under Canon VI, Section 34(b) of the CPRA, simple negligence in the performance of duty refers to negligence which does not result in depriving the client of their day in court. Similar to simple dishonesty, it is a less serious offense punishable by suspension from the practice of law for one to six months or a fine of PHP 35,000.00 to PHP 100,000.00, or a combination of the penalties.⁵⁴

Whence, Atty. Sore-Romano should be suspended from the practice of law for one year and be made to pay a fine of PHP 200,000.00.

Third. Even after incurring constant delays, Atty. Sore-Romano filed a procedurally infirm pleading that resulted in the outright dismissal of the petition. As a consequence, Sugang-Perez was deprived of her day in court. Without a doubt, Atty. Sore-Romano failed not only in being punctual with the submission of pleadings,⁵⁵ but also in avoiding delays before the court.⁵⁶ The delays in the filing as well as the submission of a *defective* pleading stem from the very same act of filing the petition for annulment of marriage. As such, Atty. Sore-Romano is declared liable for two counts of gross negligence in the performance of duty.⁵⁷ She shall be meted with a singular penalty for the most serious offense.⁵⁸ The CPRA ordains that for serious offenses such as gross negligence, the Court may impose disbarment, suspension from the practice of law exceeding six months, revocation of notarial commission for not less than two years, a fine of PHP 100,000.00, or a combination of any of these sanctions.⁵⁹

⁵³ CPRA, Canon IV, sec. 6.

⁵⁴ CPRA, Canon VI, sec. 37(b).

⁵⁵ CPRA, Canon IV, sec. 3.

⁵⁶ CPRA, Canon IV, sec. 4.

⁵⁷ CPRA, Canon VI, sec. 33(d).

⁵⁸ CPRA, Canon VI, sec. 40.

⁵⁹ CPRA, Canon VI, sec. 37(a).

In *Bratschi v. Atty. Peneyra*,⁶⁰ the Court disbarred Atty. Peneyra from the practice of law for committing multiple infractions of the CPRA. Before opting to disbar him, the Court explained that gross negligence and abandonment of his client's cause in a civil case calls for suspension from the practice of law for one year. Nevertheless, the Court imposed upon him a two-year suspension due to a previous violation of the CPR.

In obeisance to the reasoning of the Court in *Bratschi*, Atty. Sore-Romano should be suspended from the practice of law for two years. The Court likewise finds her liable to pay a fine of PHP 210,000.00.

Fourth. Atty. Sore-Romano's *disobedience to the orders of the IBP-CBD* is punishable under Canon VI, Section 37(b)(1)(2), by suspension from the practice of law from one to six months or a fine of PHP 35,000.00 to PHP 100,000.00 or a combination of the stipulated penalties.⁶¹ Thus, Atty. Sore-Romano should be suspended from the practice of law for one year and be made to pay a fine of PHP 200,000.00.

In sum, Atty. Sore-Romano should be suspended from the practice of law for five years and be made to pay the fine in the aggregate amount of PHP 810,000.00 within a period not exceeding three months from receipt of this Decision.⁶²

Anent the acceptance fee paid by Sugang-Perez, the Court disagrees with the IBP Board and adjudges that Atty. Sore-Romano should return a portion of it. In *Ignacio v. Atty. Alviar*,⁶³ the Court expounded on the nature of attorney's fee and acceptance fee, viz:

On one hand, attorney's fee is understood both in its ordinary and extraordinary concept. In its ordinary concept, attorney's fee refers to the reasonable compensation paid to a lawyer by his client for legal services rendered. While, in its extraordinary concept, attorney's fee is awarded by the court to the successful litigant to be paid by the losing party as indemnity for damages. In the present case, the Investigating Commissioner referred to the attorney's fee in its ordinary concept.

⁶⁰ A.C. No. 11863, August 1, 2023 [*Per Curiam, En Banc*].

⁶¹ SECTION 37. *Sanctions.* –

.....
(b) If the respondent is found guilty of a less serious offense, any of the following sanctions, or a combination thereof, shall be imposed:

(1) Suspension from the practice of law for a period within the range of one (1) month to six (6) months, or revocation of notarial commission and disqualification as notary public for less than two (2) years;

(2) A fine within the range of [PHP] 35,000.00 to [PHP] 100,000.00[.]

⁶² Canon VI, sec. 41 states:

SECTION 41. *Payment of fines and return of client's money and property.* – When the penalty imposed is a fine or the respondent is ordered to return the client's money or property, the respondent shall pay or return it within a period not exceeding three (3) months from receipt of the decision or resolution. If unpaid or unreturned, the Court may cite the respondent in indirect contempt.

⁶³ 813 Phil. 782 (2017) [Per J. Tijam, Third Division].

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On the other hand, acceptance fee refers to the charge imposed by the lawyer for mere acceptance of the case. The rationale for the fee is because once the lawyer agrees to represent a client, he is precluded from handling cases of the opposing party based on the prohibition on conflict of interest. The opportunity cost of mere acceptance is thus indemnified by the payment of acceptance fee. However, since acceptance fee compensates the lawyer only for lost opportunity, the same is not measured by the nature and extent of the legal services rendered.⁶⁴

In the case at bench, the Proposal⁶⁵ for the engagement of Atty. Sore-Romano's legal services treated the amount of PHP 203,000.00 as her acceptance fee for her legal services. Indubitably, the Acknowledgment Receipt⁶⁶ categorically stated the amount was considered as full payment for the filing and handling of the case. Withal, the parties agreed that the compensation for Dr. Lopez's services should be deducted from the fee paid by Sugang-Perez. As Atty. Sore-Romano failed to remit the doctor's payment in full, she must reimburse Sugang-Perez the amount of PHP 35,000.00, or the outstanding balance owed to Dr. Lopez. This amount shall earn an interest of 6% per annum from the date of receipt of this Decision until fully paid.⁶⁷ The amount must be returned to Sugang-Perez within a period not exceeding three months from receipt of the Decision, pursuant to Canon VI, Section 41 of the CPRA.⁶⁸

On a final note, the Court continues to emphasize Canon III, Section 3 of the CPRA that states that the lawyer-client relationship is fiduciary in nature.⁶⁹ Aside from being an officer of the court bound to uphold the laws of the land, a lawyer is expected to fully advocate for the client's cause and safeguard the client's rights.

ACCORDINGLY, the Court finds respondent Atty. Ma. Aurora Paredes Sore-Romano **GUILTY** of simple dishonesty, simple negligence, two counts of gross negligence, and disobedience to the orders of the Integrated Bar of the Philippines.

⁶⁴ *Id.* at 792–793.

⁶⁵ *Rollo*, pp. 27–29. Proposal for the engagement of our legal services for the filing of Petition for the Declaration of Nullity of Marriage.

⁶⁶ *Id.* at 31.

⁶⁷ *See Lara's Gifts & Decors, Inc. v. Midtown Industrial Sales, Inc.*, G.R. No. 225433, September 20, 2022 [Per J. Leonen, *En Banc*] at 21–22. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

⁶⁸ SECTION 41. *Payment of fines and return of client's money and property.* – When the penalty imposed is a fine or the respondent is ordered to return the client's money or property, the respondent shall pay or return it within a period not exceeding three (3) months from receipt of the decision or resolution. If unpaid or unreturned, the Court may cite the respondent in indirect contempt.

⁶⁹ SECTION 3. *Lawyer-client relationship.* – A lawyer-client relationship is of the highest fiduciary character. As a trust relation, it is essential that the engagement is founded on the confidence reposed by the client on the lawyer. Therefore, a lawyer-client relationship shall arise when the client consciously, voluntarily and in good faith vests a lawyer with the client's confidence for the purpose of rendering legal services such as providing legal advice or representation, and the lawyer, whether expressly or impliedly, agrees to render such services.

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Appropriately, she is **ORDERED SUSPENDED** from the practice of law for five years, with **STERN WARNING** that a repetition of the same or similar wrongdoings will be dealt with more severely. She is also **ORDERED** to **PAY** a **FINE** in the amount of **PHP 810,000.00**.

Respondent Atty. Ma. Aurora Paredes Sore-Romano is likewise **DIRECTED** to **RETURN** the amount of **PHP 35,000.00** to complainant Maria Charisse Ann Sugang-Perez within a period not exceeding three months from receipt of this Decision at the rate of 6% per annum until its full payment. She is further **ORDERED** to submit to the Court the proof of such payment within 10 days from the said payment.

This Decision is **IMMEDIATELY EXECUTORY**. Respondent Atty. Ma. Aurora Paredes Sore-Romano is **DIRECTED** to promptly file a Manifestation before the Court that her suspension has started, copy furnished all courts and quasi-judicial bodies where she has entered her appearance as counsel.

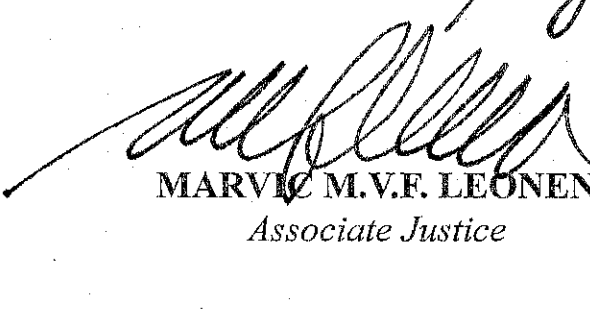
Finally, let copies of this Decision be furnished to the Office of the Bar Confidant, to be appended to the personal record of Atty. Ma. Aurora Paredes Sore-Romano as an attorney; the Integrated Bar of the Philippines and the local chapter to which she belongs, for their information and guidance; and the Office of the Court Administrator, for dissemination to all courts throughout the country.

SO ORDERED.

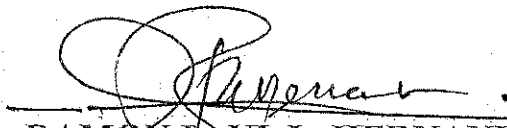

JAPAR B. DIMAAMPAO
Associate Justice

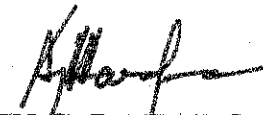
WE CONCUR:


ALEXANDER G. GESMUNDO
Chief Justice



MARVIC M.V.F. LEONEN
Associate Justice

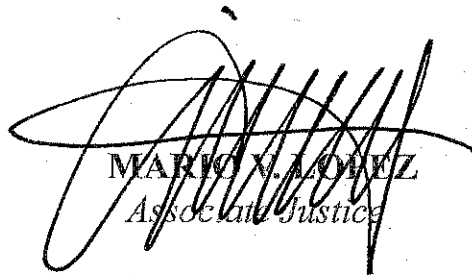

ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



RAMON PAUL L. HERNANDO
Associate Justice



AMY C. LAZARO-JAVIER
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice


RODIL V. ZALAMEDA
Associate Justice


MARIO X. LOPEZ
Associate Justice


SAMUEL H. GAERLAN
Associate Justice

On official business

RICARDO R. ROSARIO
Associate Justice


JHOSEP V. LOPEZ
Associate Justice


JOSE MIDAS P. MARQUEZ
Associate Justice


ANTONIO T. KHO, JR.
Associate Justice

On official business
MARIA FILOMENA D. SINGH
Associate Justice