



Republic of the Philippines
Supreme Court
Manila

EN BANC

SUPREME COURT OF THE PHILIPPINES
P. L. O. / COMMUNICATIONS OFFICE

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DR. JOYCE T. HIDALGO,
Complainant,

A.C. No. 11993

Present:

-versus-

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

ATTY. BERTENI CATALUÑA
CAUSING,
Respondent.

Promulgated:

March 4, 2025

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DECISION

LEONEN, J.:

While a disbarred lawyer cannot be suspended or disbarred again, these penalties may be formally recorded in case a reinstatement is sought in the future.¹

* On leave.

¹ CODE OF PROFESSIONAL RESPONSIBILITY AND ACCOUNTABILITY, Canon VI, sec. 42.

This Court resolves the administrative Complaint² filed against Atty. Berteni Cataluña Causing (Atty. Causing) for allegedly filing numerous malicious, unfounded, and baseless complaints against Dr. Joyce T. Hidalgo (Dr. Hidalgo), his counsel, and other government officials involved in the demolition of the houses of Atty. Causing's clients.³ The Commission on Bar Discipline of the Integrated Bar of the Philippines recommended that Atty. Causing be reprimanded.⁴ However, the Integrated Bar of the Philippines Board of Governors modified the recommended penalty to a one-year suspension from the practice of law.⁵

On January 5, 2018, Dr. Hidalgo filed an administrative Complaint⁶ against Atty. Causing for violation of the Lawyer's Oath and the Code of Professional Responsibility.⁷

Dr. Hidalgo claimed that Atty. Causing deliberately refused to comply with several court decisions which had attained finality. Aside from this, he allegedly filed numerous malicious, unfounded, and baseless complaints against her and other government officials and a disbarment complaint against her counsel. This was supposedly to secure leverage in a pending case and convince them to yield. These cases were ultimately dismissed by the Court of Appeals, the Supreme Court, and the Office of the Ombudsman-Mindanao Station.⁸

Further, Dr. Hidalgo stated that Atty. Causing charged Hon. Emmanuel Escatron (Judge Escatron), the presiding judge of Branch 2, Regional Trial Court, Butuan City, with allegedly receiving PHP 16,000,000.00 from Dr. Hidalgo in exchange for issuing the Alias Writ of Demolition. Yet, his allegations were made without any evidence. Dr. Hidalgo denied making any payment to Judge Escatron, especially since he already had difficulty paying for the legal services of his counsel.⁹

As such, Dr. Hidalgo maintained that Atty. Causing violated the Lawyer's Oath and multiple provisions of the Code of Professional Responsibility as he perpetuated falsehood and filed multiple groundless, false, and unlawful suits.¹⁰

² *Rollo* pp. 1-6.

³ *Id.* at 1-2.

⁴ *Id.* at 95-98.

⁵ *Id.* at 92.

⁶ *Id.* at 1-6.

⁷ *Id.* at 2-4.

⁸ *Id.* at 1.

⁹ *Id.* at 2.

¹⁰ *Id.* at 2-4.

The following documents were attached to the Complaint to support the allegations: the Court of Appeals' October 27, 2017 Decision in *Villar v. Escatron* affirming the lower court's issuance of a second Alias Writ of Demolition;¹¹ the Court's October 8, 2014 Resolution dismissing the petition in *Members of Iglesia Ni Cristo v. The Honorable Court of Appeals*;¹² Atty. Causing's complaint-affidavit in *Causing v. Amante, Jr.*, where Dr. Hidalgo and other government officials were impleaded as respondents;¹³ and the Office of the Ombudsman's Joint Order in *Amante* denying Atty. Causing's motion for reconsideration of the dismissal of his complaint.¹⁴

In his Verified Answer with Motion for Leave to Admit Answer,¹⁵ Atty. Causing stated that he had no participation in most of the cases mentioned. He pointed out that the cases were filed by an Atty. Froilan A. Montero.¹⁶ The sole complaint he filed was the one against Dr. Hidalgo for grave misconduct, oppression, and conduct prejudicial to the best interest of the service. This complaint was even supported by the affidavits of the demolition victims.¹⁷

In a Resolution,¹⁸ the Commission on Bar Discipline of the Integrated Bar of the Philippines recommended that Atty. Causing be sternly warned and reprimanded for referencing the administrative complaint filed against Judge Escatron for allegedly receiving a bribe of PHP 16,000,000.00 in his *Amante* complaint-affidavit. As the accusation was based on a mere rumor, wholly unverified, and made without any personal knowledge, Atty. Causing should have refrained from stating it. As such, Atty. Causing was found to have violated the Lawyer's Oath and the Code of Professional Responsibility.¹⁹

Nonetheless, it ruled that the quantum of evidence necessary to link Atty. Causing to *Villar* and *Members of Iglesia Ni Cristo* was not met.²⁰

On March 18, 2022, the Integrated Bar of the Philippines Board of Governors issued a Resolution²¹ modifying its Report and Recommendation by increasing the recommended penalty to suspension from the practice of law for one year.²² It took into consideration Atty. Causing's prior suspension by this Court in Administrative Case No. 12883.²³

¹¹ *Id.* at 8–18.

¹² *Id.* at 19–23.

¹³ *Id.* at 29–42.

¹⁴ *Id.* at 25–28.

¹⁵ *Id.* at 49–53.

¹⁶ *Id.* at 50–52.

¹⁷ *Id.* at 52.

¹⁸ *Id.* at 95–98.

¹⁹ *Id.* at 97–98.

²⁰ *Id.* at 97.

²¹ *Id.* at 92.

²² *Id.*

²³ *Velasco v. Causing*, 897 Phil. 553 (2021) [Per J. Inting, *En Banc*].

Atty. Causing filed his May 27, 2022 Motion for Reconsideration.²⁴ He clarified that he was not among the complainants in the administrative complaint filed against Judge Escatron, although he entered his appearance as their *pro bono* lawyer. Prior to filing the case, he ensured the veracity of his clients' allegations that Judge Escatron was involved in bribery.²⁵

As regards *Amante*, Atty. Causing explained that he was merely stating a fact that an administrative complaint exists involving Judge Escatron's alleged bribery. He did not provide any remark or opinion on this matter. As such, he prayed that the Resolution of Integrated Bar of the Philippines Board of Governors be reversed, and the Complaint against him be dismissed.²⁶

The Commission on Bar Discipline of the Integrated Bar of the Philippines then issued its May 27, 2022 Order.²⁷ It stated that the filing of a motion for reconsideration was no longer allowed. Nonetheless, the entire records of the case will be forwarded to the Supreme Court.²⁸

On November 15, 2022, Atty. Causing filed a Manifestation²⁹ before the Court praying that his attached May 27, 2022 Motion for Reconsideration³⁰ be considered in ruling on his case.

In its February 22, 2023 Resolution,³¹ this Court noted the Integrated Bar of the Philippines Board of Governors' Notice of Resolution No. CBD-XXV-2022-03-39; the copy of Atty. Causing's Motion for Reconsideration; the Integrated Bar of the Philippines' transmittal of the documents pertaining to the case; and Atty. Causing's November 15, 2022 Manifestation.

The issue for this Court's resolution is whether respondent Atty. Berteni Cataluña Causing violated the Code of Professional Responsibility and Accountability.

On May 30, 2023, the Code of Professional Responsibility and Accountability, which repealed the Code of Professional Responsibility, took effect.³² The former provides that its provisions "shall be applied to all pending and future cases, except to the extent that in the opinion of the [Court], its retroactive application would not be feasible or would work

²⁴ *Rollo*, pp. 102–107.

²⁵ *Id.* at 103–106.

²⁶ *Id.* at 103–107.

²⁷ *Id.* at 112.

²⁸ *Id.*

²⁹ *Id.* at 134–135.

³⁰ *Id.* at 136–141.

³¹ *Id.* at 157.

³² *In Re Gadon*, A.C. No. 13521, June 27, 2023 [*Per Curiam, En Banc*].

injustice, in which case the procedure under which the cases were filed shall govern.”³³

Thus, although respondent’s assailed actions were committed prior the Code of Professional Responsibility and Accountability’s effectiveness, its provisions shall be applied to determine his administrative liability.

The following provisions of the Code of Professional Responsibility and Accountability require lawyers to refrain from filing or causing to be filed frivolous or baseless cases against lawyers and government officers, including judges:

CANON II

Propriety

SECTION 13. *Imputation of a misconduct, impropriety, or crime without basis.* — A lawyer shall not, directly or indirectly, impute to or accuse another lawyer of a misconduct, impropriety, or a crime in the absence of factual or legal basis.

Neither shall a lawyer, directly or indirectly, file or cause to be filed, or assist in the filing of frivolous or baseless administrative, civil, or criminal complaints against another lawyer.

SECTION 14. *Remedy for grievances; insinuation of improper motive.* — A lawyer shall submit grievances against any officer of a court, tribunal, or other government agency only through the appropriate remedy and before the proper authorities.

Statements insinuating improper motive on the part of any such officer, which are not supported by substantial evidence, shall be ground for disciplinary action.

While lawyers have the right to “criticize the acts of courts and judges in respectful terms and through legitimate channels... [this right] is not an unbridled freedom to malign and slander the courts and its officers; and criticisms must be supported by evidence and ventilated in the proper forum.”³⁴ As stated in *Alpajora v. Calayan*:³⁵

As officers of the court, lawyers are duty-bound to observe and maintain the respect due to the courts and judicial officers. They are to abstain from offensive or menacing language or behavior before the court and must refrain from attributing to a judge motives that are not supported by the record or have no materiality to the case.

³³ CODE OF PROFESSIONAL RESPONSIBILITY AND ACCOUNTABILITY, sec. 1, General Provisions.

³⁴ *Ramos v. Lazo*, 883 Phil. 318, 326–330 (2020) [Per J. Gaerlan, Third Division].

³⁵ 823 Phil. 93 (2018) [Per J. Gesmundo, *En Banc*].

It must be remembered that all lawyers are bound to uphold the dignity and authority of the courts, and to promote confidence in the fair administration of justice. It is the respect for the courts that guarantees the stability of the judicial institution; otherwise, the institution would be resting on a very shaky foundation.

Hence, no matter how passionate a lawyer is towards defending his client's cause, he must not forget to display the appropriate decorum expected of him, being a member of the legal profession, and to continue to afford proper and utmost respect due to the courts.³⁶

In *Alpajora*, a lawyer was suspended for two years for consistently making unsupported imputations in his pleadings that a judge had improper ties with adverse counsels, among others. His act of attributing ill motives to the judge, which were neither supported by the record nor had any materiality to the case, was a violation of Canon 11 of the Code of Professional Responsibility.³⁷

Regarding the allegations in the present Complaint, this Court agrees with the Integrated Bar of the Philippines that there is insufficient evidence to show that respondent was involved in *Villar* and *Members of Iglesia Ni Cristo*.

The crux of this case is respondent's statement in his complaint-affidavit regarding Judge Escatron. Respondent stated that the *Sinumpaang Reklamo* of the 24 residents whose houses were demolished named Judge Escatron as among the errant government officials. However, Judge Escatron was not included in the complaint because a disciplinary case was already filed against him for allegedly accepting a bribe in the amount of PHP 16,000,000.00. The complaint-affidavit states:

13. These names of the respondents and the contents of the instant complaint are based on twenty-four (24) individual "Sinumpaang Reklamo" executed in handwriting by the residents whose homes have been demolished;

14. Copies of these "Sinumpaang Reklamo" are hereto attached as follows:

....

15. Actually, these 24 "Sinumpaang Reklamo" named Judge Emmanuel E. Escatron and the sheriffs of Butuan RTCs but these court officials are not included in this complaint because they are subject to the exclusive jurisdiction of the Supreme Court and, besides, a separate complaint was already filed before the Supreme Court against Judge Escatron.

....

³⁶ *Id.* at 109-110.

³⁷ *Id.* at 109.

39. In the complaint filed before the Supreme Court against Judge Escatron, the complainants alleged that it was rumored that Sixteen Million Pesos (₱16,000,000.00) was given to officials to ensure the success of the demolition.[.]³⁸

As Judge Escatron was not a party in *Amante*, there was no need to make any statement regarding the administrative case, much less state that a member of the Judiciary is facing a bribery charge. That respondent had no personal knowledge of its veracity should have prevented him from charging someone based solely on rumors and hearsay. This is conduct unbecoming of the standards expected from a lawyer with knowledge of legal processes.

Further, Judge Escatron's administrative case was immaterial to respondent's suit before the Office of the Ombudsman. This too should have caused respondent to stay his hand. Instead, he chose to act in an unethical manner and undermined the integrity of the legal profession. This is not only indicative of a lack of respect for the Judiciary but also reveals his failure to uphold the principles of honesty and fairness—all of which reflect his unfitness to practice law. “[U]nsubstantiated accusations against judges spurred by ill-motives warrant administrative sanctions.”³⁹

This Court now determines the proper penalty to be imposed upon respondent. On this note, the Court takes judicial notice of the fact that respondent has been disciplined twice within the last four years and is in fact currently disbarred.

In *Velasco v. Causing*,⁴⁰ respondent published on his Facebook account a post entitled “Wise Polygamous Husband?” and attached photographs of Enrico R. Velasco’s (Velasco) petition for declaration of nullity of marriage. Respondent not only shared this post to his other Facebook account and a Facebook group under his name, which had approximately 3,500 members, but also to Velasco’s son through direct message. For these acts, this Court suspended respondent from the practice of law for one year with a stern warning that the same or similar acts will be dealt with more severely.⁴¹

The administrative case of *Lao v. Causing*,⁴² on the other hand, involved respondent’s January 18, 2019 posting on his Facebook account of his draft complaint-affidavit for plunder against Jackiya A. Lao (Lao) and other persons. Lao proved that Atty. Causing’s post “elicit[ed] negative reactions, comments and public opinions against Lao and her fellow respondents.”⁴³ Lao was “subjected to public hate, contempt and ridicule, as

³⁸ *Rollo*, p. 31–37.

³⁹ *Ramos v. Lazo*, 883 Phil. 318, 327 (2020) [Per J. Gaerlan, Third Division].

⁴⁰ 897 Phil. 553 (2021) [Per J. Inting, *En Banc*].

⁴¹ *Id.* at 559.

⁴² A.C. No. 13453, October 4, 2022 [Per Curiam, *En Banc*].

⁴³ *Id.* at 5. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

several people have commented on the said post. The respondents in the complaint for plunder, including Lao, were called several names including 'nangungurakot' and 'corrupt na official.'"⁴⁴ This Court observed that respondent was motivated by his desire to ruin the reputation of Lao and the others involved in his complaint. Respondent's subsequent filing of the complaint was deemed immaterial as he already succeeded in damaging their reputation. As respondent was a repeat offender, this Court disbarred him from the practice of law:

Here, the Court takes note of the fact that Atty. Causing had just recently served his one-year suspension pursuant to the ruling in the *Velasco* case, which was promulgated on March 2, 2021. We likewise note that the acts complained of therein occurred in April 2016 and the corresponding disbarment complaint was filed thereafter. The filing of the disbarment complaint against Atty. Causing in the *Velasco* case should have served as a deterrent. However, it appears that the same had no effect. Thus, the penalty of disbarment is warranted.⁴⁵

Respondent's pattern of misconduct reveals a gross disregard for ethical standards. His inclusion of unsubstantiated accusations not only damaged Judge Escatron's reputation as a member of the bench but eroded the public's confidence in the courts and their integrity in administering justice. This is anathema to respondent's duty as an officer of the court to uphold honesty and respect for the Judiciary.

Despite respondent's disbarment, this Court may still prescribe the proper penalty commensurate to his violation for record purposes. Canon VI, Section 42 of the Code of Professional Responsibility and Accountability reads:

SECTION 42. Penalty when the respondent has been previously disbarred. — When the respondent has been previously disbarred and is subsequently found guilty of a new charge, the Court may impose a fine or order the disbarred lawyer to return the money or property to the client, when proper. If the new charge deserves the penalty of a disbarment or suspension from the practice of law, it shall not be imposed but the penalty shall be recorded in the personal file of the disbarred lawyer in the Office of the Bar Confidant or other office designated for the purpose. In the event that the disbarred lawyer applies for judicial clemency, the penalty so recorded shall be considered in the resolution of the same.

Recording the new ethical violation in an already-disbarred lawyer's official file maintained by the Office of the Bar Confidant serves a vital function. Should the disbarred lawyer ever apply for reinstatement, this

⁴⁴ *Id.* at 6.

⁴⁵ *Id.* at 9.

documented history of ethical violations would weigh heavily in the decision, making reinstatement more difficult to obtain.⁴⁶

As such, this Court finds that respondent exhibited grossly undignified conduct prejudicial to the administration of justice, which is a serious offense under Section 33(i) of the Code of Professional Responsibility and Accountability. Under Canon VI, Section 37 thereof, this Court may impose the following sanctions for serious offenses: "(1) [d]isbarment; (2) [s]uspension from the practice of law for a period exceeding six (6) months; (3) [r]evocation of notarial commission and disqualification as notary public for not less than two (2) years; or (4) [a] fine exceeding [PHP] 100,000.00."⁴⁷

Further, Canon VI, Sections 38 and 39 of the Code of Professional Responsibility and Accountability holds that a respondent's previous administrative liability is an aggravating circumstance that may warrant the imposition of the penalty of disbarment.⁴⁸

Given the above considerations, this Court finds that the imposition of the ultimate penalty of disbarment upon respondent is proper. There is no question that respondent has the propensity for disregarding the provisions of the Code of Professional Responsibility and Accountability and violating his oath as a lawyer: "Membership in the legal profession is a privilege, and whenever it is made to appear that an attorney is no longer worthy of the trust and confidence of his clients and the public, it becomes not only the right but also the duty of the Court to withdraw the same."⁴⁹ As held in *PHILCOMSAT Holdings Corporation v. Atty. Lokin, Jr.*:⁵⁰

It must be reiterated that as an officer of the court, it is a lawyer's sworn and moral duty to help build and not destroy unnecessarily that high esteem and regard towards the courts so essential to the proper administration of justice; as acts and/or omissions emanating from lawyers which tend to undermine the judicial edifice is disastrous to the continuity of the government and to the attainment of the liberties of the people. Thus, all lawyers should be bound not only to safeguard the good name of the legal profession, but also to keep inviolable the honor, prestige, and reputation of the judiciary.⁵¹ (Citation omitted)

ACCORDINGLY, the Court finds respondent Atty. Berteni Cataluña Causing **GUILTY** of conduct prejudicial to the administration of justice and sentences him to **DISBARMENT** from the practice of law. However, in view of his existing disbarment, the present penalty of disbarment can no longer be

⁴⁶ *Dumla v. Camacho*, 839 Phil. 509, 528–529 (2018) [Per J. Gesmundo, *En Banc*].

⁴⁷ CODE OF PROFESSIONAL RESPONSIBILITY AND ACCOUNTABILITY, Canon VI, sec. 37.

⁴⁸ CODE OF PROFESSIONAL RESPONSIBILITY AND ACCOUNTABILITY, Canon VI, secs. 38 and 39.

⁴⁹ *Vda. Francisco v. Atty. Real*, 880 Phil. 545, 558–559 (2020) [Per Curiam, *En Banc*].

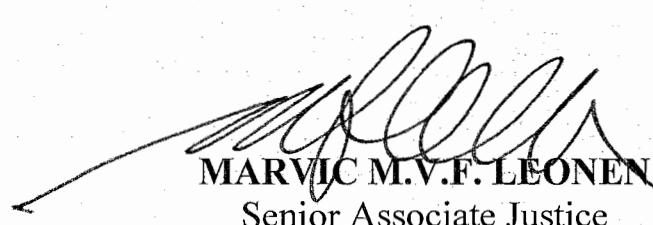
⁵⁰ 785 Phil. 1 (2016) [Per J. Perlas-Bernabe, *En Banc*].

⁵¹ *Id.* at 12–13.

imposed, but should nonetheless be considered should he apply for reinstatement.

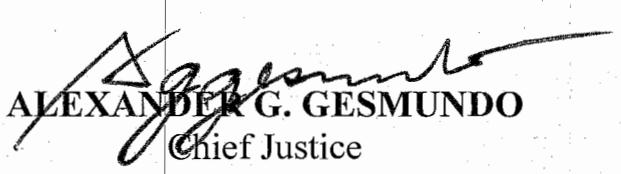
Let a copy of this Decision be furnished to the Office of the Bar Confidant, to be entered into Atty. Berteni Cataluña Causing's records. Copies shall likewise be furnished to the Integrated Bar of the Philippines and the Office of the Court Administrator for circulation to all courts concerned.

SO ORDERED.

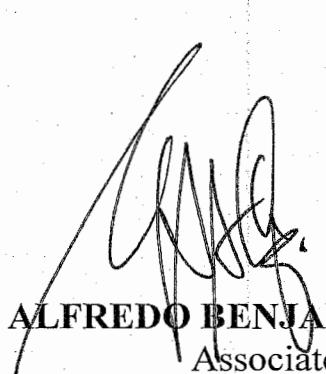


MARVIC M.V.F. LEONEN
Senior Associate Justice

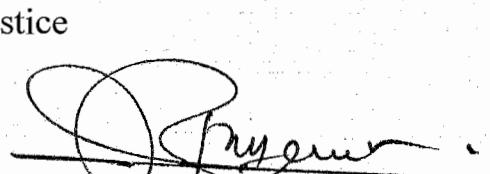
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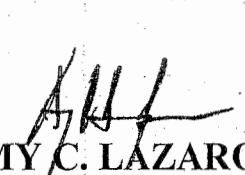
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Chief Justice



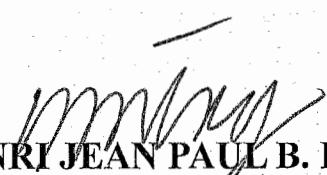
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Associate Justice



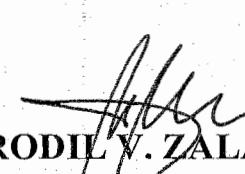
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Associate Justice



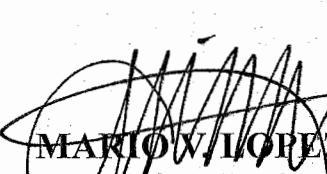
AMY C. LAZARO-JAVIER
Associate Justice



HENRI JEAN PAUL B. INTING
Associate Justice



RODIL V. ZALAMEDA
Associate Justice



MARIO V. LOPEZ
Associate Justice



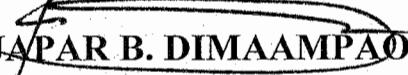
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Associate Justice



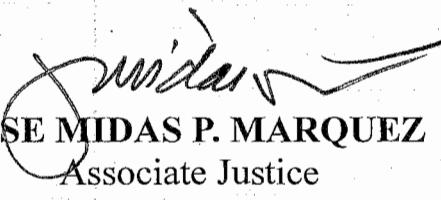
RICARDO R. ROSARIO
Associate Justice


JHOSEPH V. LOPEZ

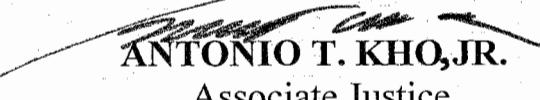
Associate Justice


JAPAR B. DIMAAMPAO

Associate Justice


JOSE MIDAS P. MARQUEZ

Associate Justice


ANTONIO T. KHO, JR.

Associate Justice

(on leave)

MARIA FILOMENA D. SINGH

Associate Justice