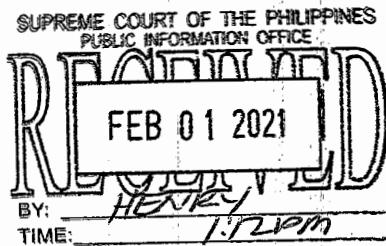




Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated **October 7, 2020**, which reads as follows:*

“A.C. No. 12645 (Re: Resolution dated 27 September 2019 in CA-G.R. SP No. 158204 [Jimbo B. Gamboa vs. Adon Realty Development Corporation, represented by Augusto Campos, Jr.] vs. Atty. Jonas Luis P. Imperial.) – The Court resolves to NOTE:

- (1) respondent Atty. Jonas Luis P. Imperial’s Respectful Manifestation and Motion dated June 24, 2020 relative to the Resolution dated January 20, 2020, which docketed the Court of Appeals (CA) Resolution dated September 27, 2019 in CA-G.R. SP. No. 158204 as a regular administrative case against him, and referred this case to the Mandatory Continuing Legal Education (MCLE) Governing Board for investigation, report and recommendation, stating that: (a) he had already complied with said CA resolution by filing the (attached) Motion for Reconsideration with Compliance (*sans*) on November 13, 2019, stating therein that he attended the MCLE seminar conducted by the Philippine Law School at Pearl Hotel Manila on February 6 to 9, 2019, and that only several weeks thereafter, he was issued the MCLE Compliance Certificate bearing the Compliance Number VI-0018067 issued on February 11, 2019, valid until April 14, 2022; (b) as a sign of utmost obedience and respect to the CA, he had also paid the court fine imposed upon him in the amount of ₱2,000.00 as shown in the attached CA O.R. No. 10053952 dated November 11, 2019; and (c) he admits that due to inadvertence and oversight, he failed to furnish the Office of the Bar Confidant (OBC) with copies of the pleadings filed before the CA; in view thereof, begging the compassion and indulgence of the Court to dismiss the instant administrative case against him and undertakes that he will not commit again this inadvertent mistake in the future; and
- (2) the Report and Recommendation dated August 17, 2020 of the MCLE Governing Board on the Resolution dated January 20,

2020, upon recommendation of the OBC, referring the instant administrative case to the MCLE Governing Board for investigation and to submit its report and recommendation within thirty (30) days from receipt of the records of the case.

This resolves the administrative case against Atty. Jonas Luis P. Imperial (Atty. Imperial) which spawned from his failure to indicate his MCLE Compliance Number in the petition he filed before the Court of Appeals (CA) in CA-GR SP No. 158204, entitled "Jimbo B. Gamboa vs. Adon Realty Development Corporation, represented by Augusto Campos, Jr."

In a Minute Resolution issued by the CA on 18 December 2018, Atty. Imperial was directed to indicate his updated MCLE Compliance Number in the petition, in accordance with Bar Matter (B.M.) No. 1922¹ dated 03 June 2008. Despite his receipt of the Minute Resolution, he still failed to comply, prompting the CA to impose a fine amounting to Two Thousand Pesos (P2,000.00)² in its Resolution³ dated 27 September 2019. In addition, the OBC was furnished a copy of the said Resolution for its information and appropriate action.

Upon recommendation by the OBC, the Court issued a Resolution⁴ on 20 January 2020 docketing the Resolution dated 27 September 2019 issued by the CA as a regular administrative case against Atty. Imperial. The Court likewise referred the same to the MCLE Board for investigation, report and recommendation.⁵

Atty. Imperial submitted his Respectful Manifestation and Motion dated 24 June 2020,⁶ upon receipt of the Court's Resolution dated 20 January 2020, begging the Court to dismiss the instant administrative case against him. He claimed that he attended the MCLE seminars conducted by the Philippine Law School from 06 February to 09 February 2019, and after several weeks, he was issued Compliance Number VI-0018067 dated 11 February 2019, which is valid until 14 April 2022.⁷

In its Report and Recommendation dated 17 August 2020,⁸ the MCLE Governing Board, through its Chairperson, Retired Justice Angelina

¹ *Re: Recommendation of the Mandatory Continuing Legal Education (MCLE) Board to Indicate in All Pleadings Filed with the Courts the Counsel's MCLE Certificate of Compliance or Certificate of Exemption.*

² Pursuant to OCA Circular No. 79-2014.

³ *Rollo*, pp. 2-6.

⁴ *Id.* at 10-12.

⁵ Resolution dated 20 January 2020, *rollo*, pp. 10-12.

⁶ *Rollo*, pp. 13-21.

⁷ *Id.* at 14.

⁸ *Id.* at 38-42.

Sandoval Gutierrez, found that Atty. Imperial violated Canon 18⁹ and Rule 18.03¹⁰ of the Code of Professional Responsibility.¹¹ In addition, when Atty. Imperial ignored the directive of the CA, he exhibited his lack of respect for the CA, which in turn makes him guilty of violating Canon 1, Rule 1.01 of the Code of Professional Responsibility. Thus, the MCLE Governing Board recommended that Atty. Imperial be suspended from the practice of law for one (1) month with warning that a repetition of similar acts shall be dealt with more severely.¹²

We disagree.

The MCLE Governing Board equates Atty. Imperial's failure to indicate his MCLE Compliance Number in the Petition before the CA to negligence and incompetence in handling the legal matter entrusted to him. It must be noted that in the subsequent Motion for Reconsideration with Compliance and To Allow/Admit the Inclusion of Pleadings and Material Documents (Of the 27 September 2019 Resolution),¹³ Atty. Imperial presented arguments in the hope that said Resolution of the CA dismissing the petition outright be reversed and set aside. Thus, to conclude that Atty. Imperial neglected the legal matter entrusted to him based on a singular instance of failing to indicate his MCLE Compliance Number is *non sequitur*.

On the other hand, while it is true that resolutions and orders of the courts, the CA included, must be complied with completely and adequately, the facts of the case do not show that Atty. Imperial deliberately disrespected the CA. To reiterate, upon his receipt of the Resolution dated 27 September 2019, he immediately paid the fine of P2,000.00 and already indicated his updated MCLE Compliance Number.

Further, the Court has already issued a Resolution dated 14 January 2014 amending B.M. 1922. As it now stands, failure to disclose the required information on the counsel's MCLE compliance no longer causes the dismissal of the case and the expunction of the pleadings from the records. Instead, the counsel shall be subjected to disciplinary sanction and imposition of the appropriate penalty.

On this score, We find that the recommended penalty of one (1) month suspension is too harsh considering that Atty. Imperial has extended his

⁹ CANON 18 – A lawyer shall serve his client with competence and diligence.

¹⁰ Rule 18.03 – A lawyer shall not neglect a legal matter entrusted to him, and his negligence in connection therewith, shall render him liable.

¹¹ CANON I – 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.

¹² *Rollo*, p. 42

¹³ *Id.* at 24-36.

apologies and admitted his inadvertence. A penalty which is less punitive would suffice.

A lawyer's good name is, in the ultimate analysis, his most important possession. Anything which will harm his good name is to be deplored as a lawyer's reputation is "a plant of tender growth, and its bloom, once lost, is not easily restored."¹⁴

WHEREFORE, in view of his failure to disclose his updated MCLE Compliance Number despite the order of the Court of Appeals to do so, Atty. Jonas Luis P. Imperial is hereby **REPRIMANDED** with a warning that a repetition of the same or similar acts shall be dealt with more severely.

SO ORDERED."

By authority of the Court:

Misael Domingo C. Battung III
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Division Clerk of Court
GCR
1/15/21

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¹⁴ *Re: Letter-Complaint of Concerned Citizens against Solicitor General Agnes VST Devanadera, Atty. Rolando Faller and Atty. Santiago Varela*, A.M. No. 07-11-13-SC, 30 June 2008.