



Republic of the Philippines
Supreme Court
Manila City

SECOND DIVISION

MARICEL H. ARTATES,
Complainant,

A.C. No. 13466
[Formerly CBD Case No. 16-5156]

- versus -

**ATTY. MEINRADO ENRIQUE
A. BELLO,**
Respondent.

Present:
LEONEN, *S.A.J.*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.
LOPEZ, J., and
KHO, JR., *JJ.*

Promulgated:
JAN 11 2023

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DECISION

KHO, JR., J.:

For the Court's resolution is the Complaint¹ dated November 7, 2016 filed by complainant Maricel H. Artates (complainant) against respondent Atty. Meinrado Enrique A. Bello (respondent) before the Integrated Bar of the Philippines (IBP) for violation of the Lawyer's Oath and the Code of Professional Responsibility (CPR).

The Facts

Complainant alleged that she engaged the legal services of respondent to represent her in an illegal dismissal case that she would file before the Labor Arbiter (LA). Consequently, respondent represented complainant in the conciliation conference of the labor case and likewise submitted the latter's position paper and reply therein. However, complainant claimed that respondent never informed her of the unfavorable decision in the said case.² Complainant and her husband then tried to contact respondent in order to inquire the status of the labor case, but no to avail. Considering that five months had passed since the filing of the case and without a word heard from

¹ *Rollo*, pp. 1-3.

² *Id.* at 1-2.

respondent, complainant asked his husband to inquire the status of her case before the National Labor Relations Commission (NLRC). She then found out that her case was already dismissed by the LA on September 29, 2015.³ As she could not contact respondent, complainant hired the services of a new lawyer to file an appeal. However, the appeal was dismissed for being filed out of time. Faulting the dismissal of the case to respondent's negligence, complainant filed the instant administrative complaint, seeking that respondent be found guilty of violating the lawyer's oath, as well as the ethical standards expected of him as a lawyer.⁴

For his part, respondent denied complainant's charges, claiming instead that after the LA's rendition of the subject judgment, he immediately informed a certain "Reiner Cunanan" (Cunanan), complainant's focal person, of the matter. However, Cunanan told respondent that he could no longer contact complainant and asked him to inform complainant himself. Respondent then averred that he did not hear anything from Cunanan and complainant since then.⁵ Respondent likewise narrated that complainant was only introduced by Cunanan in one of their meetings wherein the latter asked for his assistance in the filing of an illegal dismissal case before the NLRC. Respondent further claimed that complainant and Cunanan requested him not to charge fees as complainant had no capacity to pay attorney's fees. Respondent acceded but told complainant to reimburse him of his gasoline expenses. He then told complainant that he would assist her in the preparation of the position paper and other pleadings in the LA level.⁶

The IBP's Report and Recommendation

In a Report and Recommendation⁷ dated March 12, 2020, the IBP- Investigating Commissioner (IBP-IC) recommended that respondent be suspended from the practice of law for a period of six (6) months. In so recommending, it found that there was a lawyer-client relationship between complainant and respondent, whether there was a focal person, and that respondent's failure to inform complainant of the status of her case was a clear violation of Rules 18.03 and 18.04, Canon 18 of the CPR.⁸

In a Notice of Resolution⁹ dated October 10, 2020 in Resolution No. CBD-2020-10-14, the IBP Board of Governors (IBP-BOG) adopted and approved the IBP-IC's recommendation. Aggrieved, complainant moved for reconsideration¹⁰ before the IBP-BOG. Consequently, in a Notice of

³ Id.

⁴ Id. at 2.

⁵ Id. at 55.

⁶ Id. at 54.

⁷ Id. at 247–250. Penned by Commissioner Atty. Carmelita R. Eleazar.

⁸ Id. at 249–250.

⁹ Id. at 245–246. Signed by National Secretary Roland B. Inting.

¹⁰ Id. at 134–137.

Resolution¹¹ dated December 2, 2021 in Resolution No. CBD-XXV-2021-12-17, the IBP-BOG modified its earlier Resolution, adding the phrase “with a stern warning that any similar subsequent infraction shall merit a more severe penalty x x x.”¹²

The Issue before the Court

The core issue for the Court’s resolution is whether or not respondent should be administratively liable for the acts complained of.

The Court’s Ruling

The Court affirms the findings and adopts the recommendation of the IBP.

Lawyers, upon becoming members of the Philippine Bar, solemnly take the Lawyer’s Oath, by which they vow, among others, that they will delay no person for money or malice, and will conduct themselves as lawyers according to the best of their knowledge and discretion, with all good fidelity, as well as to the courts as to their clients. Should they violate this oath, they likewise contravene the provisions of Canon 17 and Rules 18.03 and 18.04, Canon 18 of the CPR,¹³ viz.:

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.

CANON 18 – A LAWYER SHALL SERVE HIS CLIENT WITH COMPETENCE AND DILIGENCE.

x x x x

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.

In this regard, case law instructs that once a lawyer agrees to take up the cause of a client, the lawyer owes fidelity to such cause and must always be mindful of the trust and confidence reposed in him or her. Lawyer owes entire devotion to the interest of the client, warm zeal in the maintenance and defense of his or her client’s rights, and the exertion of his or her utmost learning and ability to the end that nothing be taken or withheld from his or her client, save by the rules of law, legally applied. Lawyers who perform their duty with diligence and candor not only protect the interest of their

¹¹ Id. at 243–244. Signed by Assistant National Secretary Jose Angel B. Guidote, Jr.

¹² Id. at 243.

¹³ *Ramiscal v. Orro*, 781 Phil. 318, 322 (2016).

clients, they also serve the ends of justice, do honor to the bar, and help maintain the respect of the community to the legal profession.¹⁴

In this case, there is no dispute that respondent neglected the legal matters entrusted to him by complainant. Records revealed that respondent failed to inform complainant of the unfavorable decision issued by the LA. Clearly, his negligence caused material damage to complainant as she was precluded from perfecting her appeal before the NLRC. Moreover, the fact that respondent was not accepting attorney's fees from complainant will not negate his administrative liability. Verily, a lawyer is expected to maintain at all times a high standard of legal proficiency, and to devote his or her full attention, skill, and competence to the case, regardless of its importance and whether he or she accepts it for a fee or for free.¹⁵

With regard to the appropriate penalty on an errant lawyer, sound judicial discretion based on the surrounding facts is required. This Court has consistently meted out the penalty of suspension from the practice of law to lawyers who neglect their client's affairs.¹⁶

In *Ramirez v. Buhayang-Margallo*,¹⁷ the lawyer erroneously assumed that complainant was no longer interested in pursuing the appeal, causing the latter to lose any chance to have the case reviewed by a higher court. She was, therefore, held liable for violating Canon 17, Canon 18, Rules 18.03 and 18.04 of the CPR, and accordingly, meted the penalty of suspension from the practice of law for a period of two (2) years, with a stern warning that a repetition of the same and similar acts shall be dealt with more severely.

In *Ramiscal v. Oro*,¹⁸ the Court imposed against the errant lawyer the penalty of suspension from the practice of law for a period of two (2) years, with a stern warning that any similar infraction in the future shall be dealt with more severely, when he failed to inform his client of the status of his case.

In *Martin v. Dela Cruz*,¹⁹ the Court found the errant lawyer liable for violating Rules 18.03 and 18.04, Canon 18 of the CPR, and accordingly, sentenced him to suffer the penalty of suspension from practice of law for a period of six (6) months, with a stern warning that a repetition of the same and similar acts shall be dealt with more severely.

Similarly, in *Spouses Gimena v. Vijiga*,²⁰ the Court imposed the penalty of suspension from the practice of law for a period of six (6) months against the errant lawyer who failed to inform the clients of the status of their case.

¹⁴ *Baldado v. Mejica*, 706 Phil. 1, 13 (2013); citation omitted.

¹⁵ *Ramirez v. Buhayang-Margallo*, 752 Phil. 473, 482 (2015).

¹⁶ See *Sorensen v. Pozon*, A.C. Nos. 11334 and 11335, January 7, 2019.

¹⁷ *Supra*.

¹⁸ *Supra*.

¹⁹ 817 Phil. 646 (2017).

²⁰ 821 Phil. 185 (2017).

Likewise, in *Mejares v. Romana*,²¹ the errant lawyer, among others, failed to inform his client of the decision dismissing the latter's case. Accordingly, the Court suspended the errant lawyer from the practice of law for a period of six (6) months.

Consequently, in *Sorensen v. Pozon*,²² the Court found the respondent lawyer liable for violating Rules 18.03 and 18.04, Canon 18 of the CPR when he failed to notify his client of the progress of her cases. Accordingly, he was meted the penalty of suspension from the practice of law for a period of one (1) year, with a stern warning that a repetition of the same and similar acts shall be dealt with more severely.

In view thereof, the Court affirms the recommendation of the IBP-BOG. Accordingly, he is meted the penalty of suspension from the practice of law for a period of six (6) months, with a stern warning that a repetition of the same and similar acts shall be dealt with more severely.

On a final note, it is worthy to remind lawyers of the duty they owe to their clients. A lawyer should never leave his or her client groping in the dark, for to do so would destroy the trust, faith, and confidence reposed not only in the lawyer so retained, but also in the legal profession as a whole. Aside from delivering efficient and effective legal services, lawyers must also timely and adequately inform their clients about the status of their case. The lawyer's duty to keep his or her clients constantly updated on the developments of the case is crucial in maintaining the latter's confidence in the legal profession.²³

ACCORDINGLY, respondent Atty. Meinrado Enrique A. Bello (respondent) is found **GUILTY** of violating the Lawyer's Oath, Canon 17, as well as Rules 18.03 and 18.04, Canon 18 of the Code of Professional Responsibility. He is **SUSPENDED** from the practice of law for a period of six (6) months, and is **STERNLY WARNED** that a repetition of the same offense or similar act shall be dealt with more severely.

The suspension from the practice of law shall take effect immediately upon receipt of this Decision by respondent. He is **DIRECTED** to immediately file a Manifestation to the Court that his suspension has started, copy furnished all courts and quasi-judicial bodies where he has entered his appearance as counsel.

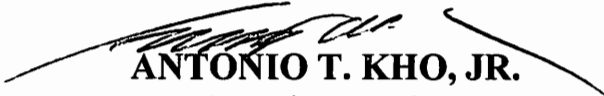
Let copies of this Decision be furnished the Office of the Bar Confidant to be appended to respondent's personal record as an attorney; the Integrated Bar of the Philippines for its information and guidance; and the Office of the Court Administrator for circulation to all courts in the country.

²¹ 469 Phil. 619 (2004).


²² See *supra*.

²³ See *Katipunon v. Carrera*, A.C. No. 12661, February 19, 2020.

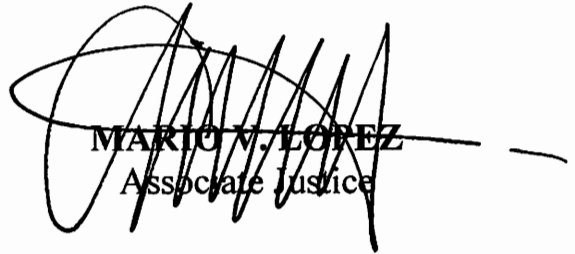
SO ORDERED.


ANTONIO T. KHO, JR.
Associate Justice

WE CONCUR:


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson


AMY C. LAZARO-JAVIER
Associate Justice


MARIO V. LOPEZ
Associate Justice


JHOSEP V. LOPEZ
Associate Justice

