Supreme Court E-Library

2. TO PAY ONE THOUSAND (₱1,000.00) PESOS FOR FUNERAL EXPENSES;

3. TO REFUND PETITIONER'S MEDICAL AND HOSPITAL EXPENSES DULY SUPPORTED BY PROPER RECEIPTS; AND

4. *TO PAY TWO THOUSAND SEVEN HUNDRED FIFTY-TWO PESOS AND 59/100 (₱2,752.59)* FOR ATTORNEY'S FEES.

SO ORDERED.

Teehankee (Actg. C.J.), *Abad Santos*, *Plana*, *Escolin*, *Relova*, *Gutierrez, Jr.*, *Dela Fuente*, *Cuevas*, and *Alampay*, *JJ.*, concur.

Melencio-Herrera, *J.*, I concur, the cause of death herein being work connected.

Aquino, *J.*, took no part.

Fernando, *C.J.* and *Concepcion, Jr.*, *J.*, on leave.

EN BANC

[A.C. No. 2131. May 10, 1985]

ADRIANO E. DACANAY, *complainant, vs.* **BAKER & McKENZIE and JUAN G. COLLAS, JR., LUIS MA. GUERRERO, VICENTE A. TORRES, RAFAEL E. EVANGELISTA, JR., ROMEO L. SALONGA, JOSE R. SANDEJAS, LUCAS M. NUNAG, J. CLARO TESORO, NATIVIDAD B. KWAN and JOSE A. CURAMMENG, JR.,** *respondents.*

Supreme Court E-Library

SYLLABUS

LEGAL ETHICS; ATTORNEYS; PRACTICE OF LAW UNDER AN ALIEN FIRM NAME HELD UNETHICAL; CASE AT BAR.— We hold that Baker & Mckenzie, being an alien law firm, cannot practice law in the Philippines (Sec. 1, Rule 138, Rules of Court). As admitted by the respondents in their memorandum, Baker & Mckenzie is a professional partnership organized in 1949 in Chicago, Illinois with members and associates in 30 cities around the world. Respondents, aside from being members of the Philippine bar, practicing under the firm name of Guerrero & Torres, are members or associates of Baker & Mckenzie. As pointed out by the Solicitor General, respondents' use of the firm name Baker & Mckenzie constitutes a representation that being associated with the firm they could "render legal services of the highest quality to multinational business enterprises and others engaged in foreign trade and investment." This is unethical because Backer & Mckenzie is not authorized to practice law here.

APPEARANCES OF COUNSEL

Adriano E. Dacanay for and in his own behalf.

Madrid, Cacho, Angeles, Dominguez & Pecson Law Office for respondents.

D E C I S I O N

AQUINO, *J.*:

Lawyer Adriano E. Dacanay, admitted to the bar in 1954, in his 1980 verified complaint, sought to enjoin Juan G. Collas, Jr. and nine other lawyers from practising law under the name of Baker & McKenzie, a law firm organized in Illinois.

In a letter dated November 16, 1979 respondent Vicente A. Torres, using the letterhead of Baker & McKenzie, which contains the names of the ten lawyers, asked Rosie Clurman for the release of 87 shares of Cathay Products International, Inc. to H. E. Gabriel, a client.

Supreme Court E-Library

Attorney Dacanay, in his reply dated December 7, 1979, denied any liability of Clurman to Gabriel. He requested that he be informed whether the lawyer of Gabriel is Baker & McKenzie "and if not, what is your purpose in using the letterhead of another law office." Not having received any reply, he filed the instant complaint.

We hold that Baker & McKenzie, being an alien law firm, cannot practice law in the Philippines (Sec. 1, Rule 138, Rules of Court). As admitted by the respondents in their memorandum, Baker & McKenzie is a professional partnership organized in 1949 in Chicago, Illinois with members and associates in 30 cities around the world. Respondents, aside from being members of the Philippine bar, practising under the firm name of Guerrero & Torres, are members or associates of Baker & Mckenzie.

As pointed out by the Solicitor General, respondents' use of the firm name Baker & McKenzie constitutes a representation that being associated with the firm they could "render legal services of the highest quality to multinational business enterprises and others engaged in foreign trade and investment" (p. 3, respondents' memo). This is unethical because Baker & McKenzie is not authorized to practice law here. (See Ruben E. Agpalo, Legal Ethics, 1983 Ed., p. 115.)

WHEREFORE, the respondents are enjoined from practising law under the firm name Baker & McKenzie.

SO ORDERED.

Teehankee (*Acting C.J.*), *Makasiar*, *Abad Santos*, *Melencio-Herrera*, *Escolin*, *Relova*, *Gutierrez*, *Jr.*, *De la Fuente*, *Cuevas*, and *Alampay*, *JJ.*, concur.

Plana, *J.*, took no part.

Fernando, *C.J.* and *Concepcion*, *Jr.*, *J.*, on leave.