EN BANC

[A.C. No. 14311 [Formerly CBD Case No. 20-6253]. October 07, 2025]

IN RE: CIVIL CASE NO. B-10581, COMPLAINANT, VS. ATTY. JOSE R. HIDALGO, RESPONDENT.

D E C I S I O N

PER CURIAM:

Before the Court is an administrative complaint against respondent Atty. Jose R. Hidalgo (Atty. Hidalgo) for his deliberate failure to comply with the requirements of the Mandatory Continuing Legal Education (MCLE) program and knowingly indicating a false MCLE compliance number in his pleadings.

Atty. Hidalgo is the counsel for the defendant in Civil Case No. B-10581 for malicious prosecution with damages pending before Branch 153, Regional Trial Court (RTC), Biñan City, Laguna, titled *Jaime J. Briones & Shirley C. Yeh v. Mercedes G. Gagnon*. Atty. Mariano Rubia (Atty. Rubia), counsel for the plaintiff, filed a motion to expunge from the records the answer with counterclaim and motion to dismiss, alleging that Atty. Hidalgo has not complied with the MCLE. Atty. Rubia attached a Certification from the Office of Mandatory Continuing Legal Education (MCLE Office) stating that there was no compliance nor an exemption on the part of Atty. Hidalgo from the first compliance period up to the present.[1]

In its Order[2] dated December 20, 2019, the RTC granted the motion to expunge from the records. It further required Atty. Hidalgo "to show cause why he should not be cited for contempt for deceiving [the] court by filing the answer with counterclaim with motion to dismiss and indicating therein his compliance number under MCLE IV 00053246 dated 101015" and furnished the MCLE Office and the Integrated Bar of the Philippines (IBP) with a copy of the Order for possible administrative proceedings against Atty. Hidalgo.[3]

In its Order[4] dated January 28, 2020, the IBP treated the referral as an administrative complaint and ordered Atty. Hidalgo to submit his answer to the Order dated December 20, 2019.[5] In a Report and Recommendation[6] dated October 18, 2023, the Commission on Bar Discipline of the IBP (IBP-CBD) gave credence to the validity of the certification of the MCLE Office and noted that Atty. Hidalgo failed to file an answer and position paper.[7] The Investigating Commissioner found that Atty. Hidalgo

knowingly used a false MCLE compliance number, thereby making him guilty of "Serious Dishonesty, Fraud, Deceit, including making untruthful statements," which is a serious offense under the Code of Professional Responsibility and Accountability (CPRA),[8] and recommended that Atty. Hidalgo be disbarred.[9] Because of Atty. Hidalgo's act, his client was deprived his day in court because the answer was expunged from the records.[10]

On March 9, 2024, the IBP Board of Governors passed a Resolution[11] adopting the IBP-CBD's Report and Recommendation as follows:

> ***RESOLVED*** *to* ***APPROVE*** *and* ***ADOPT****, as it is hereby* ***APPROVED and ADOPTED****, the Report and Recommendation of the Investigating Commissioner, to mete out upon respondent* ***Atty. Jose R. Hidalgo*** *the penalty of* ***DISBARMENT****, after noting that respondent failed to explain why he falsified his MCLE Compliance Number.*[12] (Emphasis in the original)

The main issue for resolution is whether respondent Atty. Hidalgo is administratively liable.

Recognizing the importance of continuing legal education, this Court approved Bar Matter No. 850,[13] which requires all members of the Bar, who are not otherwise exempt, to complete every three years at least 36 hours of continuing legal education activities approved by the MCLE Office.[14] The purpose is to ensure that the members of the Bar keep abreast with law and jurisprudence, maintain the ethics of the profession and enhance the standards of the practice of law.[15]

To ensure compliance with the MCLE requirement, the Court further issued Bar Matter No. 1922,[16] as amended,[17] which mandates lawyers to indicate the number and date of issue of their MCLE certificate of compliance or certificate of exemption in all the pleadings they file before the courts or quasi-judicial bodies.

In the present case, the Certification[18] dated November 29, 2019 from the MCLE Office shows that respondent has no record of either compliance or exemption from the first compliance period for April 15, 2001 to April 14, 2004 up to the 6th compliance period for April 15, 2016 to April 14, 2019.[19] clearly, respondent violated Bar Matter No. 850 and Canon III, Section 24 of the CPR.A, which provides:

> **SECTION 24.** ***Active involvement in Legal education.*** — A lawyer shall keep abreast of legal developments, participate in continuing legal education programs, and support efforts to achieve standards of excellence in law schools as well as in the practical training of law students.

As correctly found by the IBP, respondent engaged in dishonest conduct when he used a spurious MCLE compliance number in his answer and motion to dismiss in the civil

case, despite knowing his noncompliance.[20] The act of indicating patently false information in pleadings filed before the courts constitutes bad faith and dishonesty, and shows blatant disrespect of the courts and its rules.[21] Worse, it prejudiced the clients, whose cause was adversely affected when the RTC granted the expunction of the answer with counterclaim and motion to dismiss from the records.[22] Thus, respondent violated the CPRA, particularly Canon II, Sections 1, 2, and 11, and Canon III, Section 2, which state:

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.

SECTION 2. ***Dignified conduct.*** — A lawyer shall respect the law, the courts, tribunals, and other government agencies, their officials, employees, and processes, and act with courtesy, civility, fairness, and candor towards fellow members of the bar.

A lawyer shall not engage in conduct that adversely reflects on one's fitness to practice law, nor behave in a scandalous manner, whether in public or private life, to the discredit of the legal profession.

. . . .

SECTION 11. ***False representations or statements; duty to correct.*** — A lawyer shall not make false representations or statements. A lawyer shall be liable for any material damage caused by such false representations or statements.

A lawyer shall not, in demand letters or other similar correspondence, make false representations or statements, or impute civil, criminal, or administrative liability, without factual or legal basis.

A lawyer shall correct false or inaccurate statements and information made in relation to an application for admission to the bar, any pleading, or any other document required by or submitted to the court, tribunal or agency, as soon as its falsity or inaccuracy is discovered or made known to him or her.

Canon III

Fidelity

. . . .

SECTION 2. ***The responsible and accountable lawyer.*** — A lawyer shall uphold the constitution, obey the laws of the land, promote respect for laws and legal processes, safeguard human rights, and at all times advance the honor and integrity of the legal profession.

As an officer of the court, a lawyer shall uphold the rule of law and conscientiously assist in the speedy and efficient administration of justice.

As an advocate, a lawyer shall represent the client with fidelity and zeal within the bounds of the law and the CPRA.

Undeniably, respondent committed serious dishonesty, fraud, or deceit by knowingly indicating a false MCLE compliance number in his pleadings, an act that amounts to falsification and making of untruthful statements. Such misconduct is a serious offense under Canon VI, Section 33(6)[23] of the CPRA.

In addition, the Court finds that respondent outrightly ignored the directives of the IBP-CBD when he failed to submit an answer and a verified position paper. As an officer of the Court, respondent is expected to know that the directives of the IBP, as the investigating arm of the Court in administrative cases against lawyers, are not mere requests but are lawful orders which should be complied with promptly and completely. The highest form of respect for judicial authority is shown by a lawyer's obedience to court orders and processes.[24] Respondent's blatant noncompliance with the orders of the IBP constitutes willful disobedience of the orders of this Court which is considered as a less serious offense under Canon VI, Section 34(c)[25] of the CPRA.

It is well settled that the "determination of whether an attorney should be disbarred or merely suspended for a period involves the exercise of sound judicial discretion. This Court has imposed the penalties ranging from reprimand, warning with fine, suspension and, in grave cases, disbarment for a lawyer's failure to file a brief or other pleading." [26]

Under Canon VI, Section 37 of the CPRA, the sanctions imposed for serious offense and less serious offense are as follows:

SECTION 37. ***Sanctions.*** —

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

(1) Disbarment;

(2) Suspension from the practice of law for a period exceeding [six] months;

(3) Revocation of notarial commission and disqualification as notary public for not less than [two] years; or

(4) A fine exceeding [PHP 100,000.00].

(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] month to [six] months, or revocation of notarial commission and disqualification as notary public for less than [two] years;

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

Canon VI, Section 38 of the CPRA provides for modifying circumstances that could affect the penalty to be imposed on the respondent. Taking this into consideration, the Court finds that the aggravating circumstance of"[f]inding of previous administrative liability where a penalty is imposed, regardless of nature or gravity" under Canon VI, Section 38(b)(l) should be appreciated. The Court is cognizant of respondent's previous administrative case, titled *Chang v. Atty. Hidalgo*,[27] docketed as A.C. No. 6934, where he was suspended from the practice of law for one year for withdrawing as counsel from a case without notice to the client and neglecting the matters entrusted to him, in violation of Canons 17 and 18 of the Code of Professional Responsibility (CPR).[28] This prior finding of administrative liability demonstrates a pattern of consistent infractions, indicating a disregard for the CPR, as revised by the CPRA.

Considering that respondent is guilty of multiple offenses arising from separate acts in a single administrative proceeding, Canon VI, Section 40[29] of the CPRA applies. In *Changat v. Ban-eg*,[30] the Court explained that "it is necessary to determine whether the modifying circumstances are directly connected or applicable to a respective act or omission tried in the same proceeding."[31]

In this regard, the Court finds that the mentioned aggravating circumstance of previous administrative liability where a penalty was imposed should be applied to the two distinct and separate acts committed by respondent, as it is not directly connected to a specific act committed by him.

We shall now determine the appropriate penalty to be imposed upon respondent.

In *Turla v. Caringal*,[32] respondent lawyer was suspended from the practice of law for three years for his willful statement of false MCLE details in his pleadings to the prejudice of his clients and for noncompliance with the MCLE requirements.[33] In *Mapalad v. Atty. Echanez*,[34] the lawyer was disbarred for indicating a false MCLE

compliance number in his pleadings and for disobeying legal orders, taking into consideration his prior sanctions in two separate cases.[35] In *Atty. Gustilo v. Atty. De La Cruz*,[36] therein respondent lawyer was likewise disbarred for his noncompliance with the requirements of the MCLE program and for using a fictitious MCLE compliance number in his pleadings in an ejectment case.[37]

Given the gravity of the offense of knowingly indicating a false MCLE compliance number in his pleadings and the presence of the aforementioned aggravating circumstance of previous administrative liability for which respondent was penalized with suspension, the Court finds it appropriate to impose the supreme penalty of disbarment upon respondent.

With respect to the less serious offense of willful disobedience to the orders of the IBP, and considering once again the existence of the said aggravating circumstance, respondent is fined PHP 35,000.00 pursuant to Canon VI, Section 37 of the CPRA. In *Bautista-Regodoz v. Atty. Rubia*,[38] this Court imposed a similar fine of PHP 35,000.00 upon therein respondent lawyer who was found guilty of disobeying the lawful orders of the IBP.[39] In *Changat*,[40] the Court imposed a fine of PHP 35,000.00 upon the respondent lawyer for violation of IBP rules and issuances governing membership in the IBP after considering the presence of an aggravating circumstance.[41]

ACCORDINGLY, the Court finds respondent Atty. Jose R. Hidalgo **GUILTY** of violation of Bar Matter No. 850 and the Code of Professional Responsibility and Accountability. He is **DISBARRED** from the practice of law and his name is ordered **STRICKEN OFF** from the Roll of Attorneys, effective immediately.

Moreover, respondent is **ORDERED** to pay a **FINE** in the amount of PHP 35,000.00, to be paid within 30 days from receipt of this Decision.

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.

SO ORDERED.

Leonen, SAJ., Hernando, Inting, Zalameda, Gaerlan, Rosario, Dimaampao, Marquez, Kho, Jr., and *Villanueva, JJ.*, concur.

Gesmundo,[*] *C.J.*, on official leave.

Caguioa,[**] Lazaro-Javier,[**] and J. Lopez,[**] *JJ.*, on official business.

Singh,[***] *J.*, on official business but left a vote.

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[*] On official leave.

** On official business.

*** On official business but left a vote.

[1] *Rollo*, p. 2.

[2] *Id.* The Order was penned by Presiding Judge Vernard V. Quijano of Branch 153, Regional Trial Court, Biñan City, Laguna.

[3] *Id.*

[4] *Id.* at 4. The Order in CBD Case No. 20-6253 was penned by Director for Bar Discipline Randall C. Tabayoyong of the Commission on Bar Discipline, Integrated Bar of the Philippines.

[5] *Id.*

[6] *Id.* at 13-15. The Report and Recommendation in CBD Case No. 20-6253 was penned by Investigating Commissioner Jhimmy P. Santiago of the Commission on Bar Discipline, Integrated Bar of the Philippines.

[7] *Id.* at 14.

[8] **A.M. No. 22-09-01-SC**, April 11, 2023.

[9] *Rollo*, pp. 14-15.

[10] *Id.* at 15.

[11] *Id.* at 11-12. The March 9, 2024 Resolution No. XXVI-CRM-2024-03-25 in CBD Case No. 20-6253 was penned by National Secretary Doroteo 13. Aguila of the Board of Governors, Integrated Bar of the Philippines.

[12] *Id.* at 11.

[13] Bar Matter No. 850, August 22, 2000, Adopting the Rules on Mandatory Continuing Legal Education for Members of the Integrated Bar of the Philippines.

[14] Bar Matter No. 850, Rule 2, sec. 2.

[15] Bar Matter No. 850, Rule 1, sec. 1.

[16] Bar Matter No. 1922, June 3, 2008, Re: Recommendation of the Mandatory Continuing Legal Education Board to Indicate in All Pleadings Filed with the Courts the Counsel's MCLE Certificate of Compliance or Certificate of Exemption.

[17] Bar Matter No. 1922, January 14, 2014, Re: Recommendation of the Mandatory Continuing Legal Education Board to Indicate in All Pleadings Filed with the Courts the Counsel's MCLE Certificate of Compliance or Certificate of Exemption.

[18] *Rollo*, unpaginated.

[19] *Id.*

[20] *Id.* at 14.

[21] **Mapalad, Sr. v. Atty. Echanez**, 810 Phil. 355, 360 (2017) [Per J. Tijam, *En Banc*].

[22] *Rollo*, p. 2.

[23] **SECTION 33. *Serious offenses.* — Serious offenses include:**

> . . . .
>
> (b) Serious dishonesty, fraud, or deceit, including falsification of documents and making untruthful statements[.]

[24] **Radial Golden Marine Services Corporation v. Atty. Cabugoy**, 854 Phil. 643, 648 (2019) [*Per Curiam, En Banc*].

[25] **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[.]

[26] **Radial Golden Marine Services Corporation v. Atty. Cabugoy**, 854 Phil. 643, 649 (2019) [*Per Curiam, En Banc*] *citing* **Figueras v. Atty. Jimenez**, 729 Phil. 101 (2014) [Per J. Villarama, Jr., First Division].

[27] 784 Phil. I (2016) [Per J. Leonen, Second Division].

[28] *Id.* at 11-14.

[29] **SECTION 40.** ***Penalty for multiple offenses.*** — If the respondent is found liable for more than [one] 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] 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.

[30] 959 Phil. 562 (2024) [*Per Curiam, En Banc*].

[31] *Id.* at 581.

[32] 849 Phil. 1 (2019) [Per J. Hernando, *En Banc*].

[33] *Id.* at 14-15.

[34] 810 Phil. 355, 360 (2017) [Per J. Tijam, *En Banc*].

[35] *Id.* at 364.

[36] 865 Phil. 237 (2019) [*Per Curiam, En Banc*].

[37] *Id.* at 246.

[38] **A.C. No. 14211**, October 29, 2024 [*Per Curiam, En Banc*].

[39] *Id.* at 13. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[40] 959 Phil. 562 (2024) [*Per Curiam, En Banc*].

[41] *Id.* at 585.

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