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Melo (Chairman), Purisima and *Gonzaga-Reyes, JJ.*, concur.

Panganiban, J., is on leave.

SECOND DIVISION

[ADM. CASE No. 3319. June 8, 2000]

LESLIE UI, *complainant, vs.* **ATTY. IRIS BONIFACIO,** *respondent.*

SYNOPSIS

Leslie Ui filed an administrative complaint for disbarment against Atty. Iris Bonifacio for allegedly carrying on an immoral relationship with her husband Carlos L. Ui. She alleged that sometime in December 1987, she found out that her husband was having an illicit relationship with respondent with whom he begot a daughter sometime in 1986 and that they had been living together at No. 527 San Carlos Street, Ayala Alabang Village in Muntinlupa City. In the latter part of June 1988, complainant confronted the respondent and she admitted that she has a child with Carlos Ui, but she alleged that everything was over between her and Carlos Ui. Complainant believed respondent's representations. However, complainant again discovered that the illicit relationship between her husband and respondent continued. Sometime in December, 1988 respondent gave birth to their second child. Complainant again met with respondent and pleaded with her to discontinue her illicit relationship with Carlos Ui, but to no avail. The illicit relationship persisted and complainant even came to know later on that respondent had been employed by her husband in his company. In her defense, respondent contended, among others, that it was she who was the victim in this case because she did not know that Carlos Ui was already married. When she met Carlos Ui in 1983, she knew and believed him to be single, but he had

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children by a Chinese woman in Amoy, China. Respondent fell in love with him and they got married in one of their trips in Hawaii, USA in 1985, but upon return to Manila, respondent and Carlos Ui did not live together because they wanted to let his children gradually to know and accept the fact of his second marriage before they would live together. As a result of such marriage, she gave birth to two children. And upon her knowledge of the true civil status of Carlos Ui, she left him.

The Court ruled that "a member of the Bar and officer of the court is not only required to refrain from adulterous relationships x x x but must also so behave himself as to avoid scandalizing the public by creating the belief that he is flouting those moral standards. Respondent's act of immediately distancing herself from Carlos Ui upon discovering his true civil status belies just that alleged moral indifference and proves that she had no intention of flaunting the law and the high moral standard of the legal profession. Complainant's bare assertions to the contrary deserve no credit. After all, the burden of proof rests upon the complainant, and the Court will exercise its disciplinary powers only if she establishes her case by clear, convincing and satisfactory evidence. This, herein complainant miserably failed to do.

The complaint for disbarment against respondent Atty. Iris L. Bonifacio, for alleged immorality, is hereby DISMISSED.

SYLLABUS

1. **LEGAL AND JUDICIAL ETHICS; PRACTICE OF LAW; A PRIVILEGE.**— The practice of law is a privilege. A bar candidate does not have the right to enjoy the practice of the legal profession simply by passing the bar examinations. It is a privilege that can be revoked, subject to the mandate of due process, once a lawyer violates his oath and the dictates of legal ethics.

2. **ID.; ID.; REQUISITES FOR ADMISSION.**— The requisites for admission to the practice of law are: a. he must be a citizen of the Philippines; b. a resident thereof; c. at least twenty-one (21) years of age; d. *a person of good moral character;* e. he must show that no charges against him involving moral turpitude,

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are filed or pending in court; f. possess the required educational qualifications; and g. pass the bar examinations.

3. **ID.; ID.; POSSESSION OF GOOD MORAL CHARACTER MUST BE CONTINUOUS.**— Clear from the foregoing is that one of the conditions prior to admission to the bar is that an applicant must possess good moral character. More importantly, possession of good moral character must be continuous as a requirement to the enjoyment of the privilege of law practice, otherwise, the loss thereof is a ground for the revocation of such privilege. It has been held — "If good moral character is a *sine qua non* for admission to the bar, then the continued possession of good moral character is also a requisite for retaining membership in the legal profession. Membership in the bar may be terminated when a lawyer ceases to have good moral character. (*Royong vs. Oblena*, 117 Phil. 865). A lawyer may be disbarred for "grossly immoral conduct, or by reason of his conviction of a crime involving moral turpitude." A member of the bar should have moral integrity in addition to professional probity. It is difficult to state with precision and to fix an inflexible standard as to what is "grossly immoral conduct" or to specify the moral delinquency and obliquity which render a lawyer unworthy of continuing as a member of the bar. The rule implies that what appears to be unconventional behavior to the straight-laced may not be the immoral conduct that warrants disbarment. Immoral conduct has been defined as "that conduct which is willful, flagrant, or shameless, and which shows moral indifference to the opinion of the good and respectable members of the community."

4. **ID.; ID.; ID.; LAWYERS MUST HANDLE THEIR PERSONAL AFFAIRS WITH GREAT CAUTION.**— Perhaps morality in our liberal society today is a far cry from what it used to be before. This permissiveness notwithstanding, lawyers, as keepers of public faith, are burdened with a higher degree of social responsibility and thus must handle their personal affairs with greater caution.

5. **ID.; ID.; ID.; ID.; VIOLATED IN CASE AT BAR.**— In the case at bar, it is the claim of respondent Atty. Bonifacio that when she met Carlos Ui, she knew and believed him to be single. Respondent fell in love with him and they got married and as a result of such marriage, she gave birth to two (2) children.

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Upon her knowledge of the true civil status of Carlos Ui, she left him. x x x The facts of this case lead us to believe that perhaps respondent would not have found herself in such a compromising situation had she exercised prudence and been more vigilant in finding out more about Carlos Ui's personal background prior to her intimate involvement with him. Surely, circumstances existed which should have at least aroused respondent's suspicion that something was amiss in her relationship with Carlos Ui, and moved her to ask probing questions. For instance, respondent admitted that she knew that Carlos Ui had children with a woman from Amoy, China, yet it appeared that she never exerted the slightest effort to find out if Carlos Ui and this woman were indeed unmarried. Also, despite their marriage in 1987, Carlos Ui never lived with respondent and their first child, a circumstance that is simply incomprehensible considering respondent's allegation that Carlos Ui was very open in courting her. All these taken together leads to the inescapable conclusion that respondent was imprudent in managing her personal affairs.

6. **ID.; DISBARMENT; GROSSLY IMMORAL CONDUCT; BELIED BY RESPONDENT'S ACT OF IMMEDIATELY DISTANCING HERSELF FROM A MARRIED MAN UPON DISCOVERING HIS TRUE CIVIL STATUS.**— However, the fact remains that her relationship with Carlos Ui, clothed as it was with what respondent believed was a valid marriage, cannot be considered immoral. For immorality connotes conduct that shows indifference to the moral norms of society and the opinion of good and respectable members of the community. Moreover, for such conduct to warrant disciplinary action, the same must be "grossly immoral," that is, it must be so corrupt and false as to constitute a criminal act or so unprincipled as to be reprehensible to a high degree. We have held that "a member of the Bar and officer of the court is not only required to refrain from adulterous relationships x x x but must also so behave himself as to avoid scandalizing the public by creating the belief that he is flouting those moral standards." Respondent's act of immediately distancing herself from Carlos Ui upon discovering his true civil status belies just that alleged moral indifference and proves that she had no intention of flaunting the law and the high moral standard of the legal profession. Complainant's bare assertions to the contrary deserve no credit. After all, the burden of proof rests upon the complainant, and the Court will

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exercise its disciplinary powers only if she establishes her case by clear, convincing and satisfactory evidence. This herein complainant miserably failed to do.

7. **ID.; DUTY OF LAWYERS; TO ADHERE UNWAVERINGLY TO THE HIGHEST STANDARDS OF MORALITY.**— It is the bounden duty of lawyers to adhere unwaveringly to the highest standards of morality. The legal profession exacts from its members nothing less. Lawyers are called upon to safeguard the integrity of the Bar, free from misdeeds and acts constitutive of malpractice. Their exalted positions as officers of the court demand no less than the highest degree of morality.

8. **REMEDIAL LAW; EVIDENCE; CREDIBILITY OF WITNESSES; CONTRARY TO HUMAN EXPERIENCE AND HIGHLY IMPROBABLE FOR A LAWYER TO FORGET THE YEAR OF HER MARRIAGE.**— On the matter of the falsified Certificate of Marriage attached by respondent to her Answer, we find improbable to believe the averment of respondent that she merely relied on the photocopy of the Marriage Certificate which was provided her by Carlos Ui. For an event as significant as a marriage ceremony, any normal bride would verily recall the date and year of her marriage. It is difficult to fathom how a bride, especially a lawyer as in the case at bar, can forget the year when she got married. Simply stated, it is contrary to human experience and highly improbable. Furthermore, any prudent lawyer would verify the information contained in an attachment to her pleading, especially so when she has *personal knowledge* of the facts and circumstances contained therein. In attaching such Marriage Certificate with an intercalated date, the defense of good faith of respondent on that point cannot stand.

APPEARANCES OF COUNSEL

Meer, Meer & Meer for complainant.
Roco Bunag Kapunan Migallos & Jardeleza for respondent.

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DECISION

DE LEON, JR., *J.*:

Before us is an administrative complaint for disbarment against Atty. Iris Bonifacio for allegedly carrying on an immoral relationship with Carlos L. Ui, husband of complainant, Leslie Ui.

The relevant facts are:

On January 24, 1971 complainant Leslie Ui married Carlos L. Ui at the Our Lady of Lourdes Church in Quezon City[1] and as a result of their marital union, they had four (4) children, namely, Leilani, Lianni, Lindsay and Carl Cavin, all surnamed Ui. Sometime in December 1987, however, complainant found out that her husband, Carlos Ui, was carrying on an illicit relationship with respondent Atty. Iris Bonifacio with whom he begot a daughter sometime in 1986, and that they had been living together at No. 527 San Carlos Street, Ayala Alabang Village in Muntinlupa City. Respondent who is a graduate of the College of Law of the University of the Philippines was admitted to the Philippine Bar in 1982.

Carlos Ui admitted to complainant his relationship with the respondent. Complainant then visited respondent at her office in the later part of June 1988 and introduced herself as the legal wife of Carlos Ui. Whereupon, respondent admitted to her that she has a child with Carlos Ui and alleged, however, that everything was over between her and Carlos Ui. Complainant believed the representations of respondent and thought things would turn out well from then on and that the illicit relationship between her husband and respondent would come to an end.

However, complainant again discovered that the illicit relationship between her husband and respondent continued, and that sometime in December 1988, respondent and her husband, Carlos Ui, had a second child. Complainant then met again with respondent sometime in March 1989 and pleaded

[1] Records, Vol. I, p. 5.

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with respondent to discontinue her illicit relationship with Carlos Ui but to no avail. The illicit relationship persisted and complainant even came to know later on that respondent had been employed by her husband in his company.

A complaint for disbarment, docketed as Adm. Case No. 3319, was then filed on August 11, 1989 by the complainant against respondent Atty. Iris Bonifacio before the Commission on Bar Discipline of the Integrated Bar of the Philippines (hereinafter, Commission) on the ground of immorality, more particularly, for carrying on an illicit relationship with the complainant's husband, Carlos Ui. In her Answer,[2] respondent averred that she met Carlos Ui sometime in 1983 and had known him all along to be a bachelor, with the knowledge, however, that Carlos Ui had children by a Chinese woman in Amoy, China, from whom he had long been estranged. She stated that during one of their trips abroad, Carlos Ui formalized his intention to marry her and they in fact got married in Hawaii, USA in 1985.[3] Upon their return to Manila, respondent did not live with Carlos Ui. The latter continued to live with his children in their Greenhills residence because respondent and Carlos Ui wanted to let the children gradually to know and accept the fact of his second marriage before they would live together.[4]

In 1986, respondent left the country and stayed in Honolulu, Hawaii and she would only return occasionally to the Philippines to update her law practice and renew legal ties. During one of her trips to Manila sometime in June 1988, respondent was surprised when she was confronted by a woman who insisted that she was the lawful wife of Carlos Ui. Hurt and desolate upon her discovery of the true civil status of Carlos Ui, respondent then left for Honolulu, Hawaii sometime in July 1988 and returned only in March 1989 with her two (2) children. On March 20, 1989, a few days after she reported to work with the

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[2] Records, Vol. III, p. 8.

[3] Records, Vol. III, p. 17.

[4] Records, Vol. III, pp. 10-11.

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law firm[5] she was connected with, the woman who represented herself to be the wife of Carlos Ui again came to her office, demanding to know if Carlos Ui has been communicating with her.

It is respondent's contention that her relationship with Carlos Ui is not illicit because they were married abroad and that after June 1988 when respondent discovered Carlos Ui's true civil status, she cut off all her ties with him. Respondent averred that Carlos Ui never lived with her in Alabang, and that he resided at 26 Potsdam Street, Greenhills, San Juan, Metro Manila. It was respondent who lived in Alabang in a house which belonged to her mother, Rosalinda L. Bonifacio; and that the said house was built exclusively from her parents' funds.[6] By way of counterclaim, respondent sought moral damages in the amount of Ten Million Pesos (Php10,000,000.00) against complainant for having filed the present allegedly malicious and groundless disbarment case against respondent.

In her Reply[7] dated April 6, 1990, complainant states, among others, that respondent knew perfectly well that Carlos Ui was married to complainant and had children with her even at the start of her relationship with Carlos Ui, and that the reason respondent went abroad was to give birth to her two (2) children with Carlos Ui.

During the pendency of the proceedings before the Integrated Bar, complainant also charged her husband, Carlos Ui, and respondent with the crime of Concubinage before the Office of the Provincial Fiscal of Rizal, docketed as I.S. No. 89-5247; but the same was dismissed for insufficiency of evidence to establish probable cause for the offense charged. The resolution dismissing the criminal complaint against respondent reads:

Complainant's evidence had *prima facie* established the existence of the "illicit relationship" between the respondents allegedly

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[5] Rilloraza Africa De Ocampo & Africa Law Offices.

[6] Records, Vol. III, p. 12.

[7] Records, Vol. III, p. 26.

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discovered by the complainant in December 1987. The same evidence however show that respondent Carlos Ui was still living with complainant up to the latter part of 1988 and/or the early part of 1989.

It would therefore be logical and safe to state that the "relationship" of respondents started and was discovered by complainant sometime in 1987 when she and respondent Carlos were still living at No. 26 Potsdam Street, Northeast Greenhills, San Juan, Metro Manila and they, admittedly, continued to live together at their conjugal home up to early (*sic*) part of 1989 or later 1988, when respondent Carlos left the same.

From the above, it would not be amiss to conclude that altho (*sic*) the relationship, illicit as complainant puts it, had been *prima facie* established by complainant's evidence, this same evidence had failed to even *prima facie* establish the "fact of respondent's cohabitation in the concept of husband and wife at the 527 San Carlos St., Ayala Alabang house, proof of which is necessary and indispensable to at least create probable cause for the offense charged. The statement alone of complainant, worse, a statement only of a conclusion respecting the fact of cohabitation does not make the complainant's evidence thereto any better/stronger (*U.S. vs. Casipong and Mongoy,* 20 Phil. 178).

It is worth stating that the evidence submitted by respondents in support of their respective positions on the matter support and bolster the foregoing conclusion/recommendation.

WHEREFORE, it is most respectfully recommended that the instant complaint be dismissed for want of evidence to establish probable cause for the offense charged.

RESPECTFULLY SUBMITTED.[8]

Complainant appealed the said Resolution of the Provincial Fiscal of Rizal to the Secretary of Justice, but the same was dismissed[9] on the ground of insufficiency of evidence to prove her allegation that respondent and Carlos Ui lived together as husband and wife at 527 San Carlos Street, Ayala Alabang, Muntinlupa, Metro Manila.

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[8] Records, Vol. III, pp. 71, 73-74.

[9] Records, Vol. III, pp. 75-78.

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In the proceedings before the IBP Commission on Bar Discipline, complainant filed a Motion to Cite Respondent in Contempt of the Commission[10] wherein she charged respondent with making false allegations in her Answer and for submitting a supporting document which was altered and intercalated. She alleged that in the Answer of respondent filed before the Integrated Bar, respondent averred, among others, that she was married to Carlos Ui on October 22, 1985 and attached a Certificate of Marriage to substantiate her averment. However, the Certificate of Marriage[11] duly certified by the State Registrar as a true copy of the record on file in the Hawaii State Department of Health, and duly authenticated by the Philippine Consulate General in Honolulu, Hawaii, USA revealed that the date of marriage between Carlos Ui and respondent Atty. Iris Bonifacio was October 22, 1987, and not October 22, 1985 as claimed by respondent in her Answer. According to complainant, the reason for that false allegation was because respondent wanted to impress upon the said IBP that the birth of her first child by Carlos Ui was within the wedlock.[12] It is the contention of complainant that such act constitutes a violation of Articles 183[13] and 184[14] of the Revised Penal Code, and also contempt of the Commission;

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[10] Records, Vol. III, pp. 113-117.

[11] Records, Vol. III, pp. 125-126.

[12] Records, Vol. III, 114-115.

[13] Art 183. False testimony in other cases and perjury in solemn affirmation. — The penalty of *arresto mayor* in its maximum period to *prision correccional* in its minimum period shall be imposed upon any person who, knowingly making untruthful statements and not being included in the provisions of the next preceding articles, shall testify under oath, or make an affidavit, upon any material matter before a competent person authorized to administer an oath in cases in which the law so requires.

Any person who, in case of a solemn affirmation made in lieu of an oath, shall commit any of the falsehoods mentioned in this and the three preceding articles of this section, shall suffer the respective penalties provided therein.

[14] Art 184. Offering false testimony in evidence. — Any person who shall knowingly offer in evidence a false witness or testimony in any judicial or official proceeding, shall be punished as guilty of false testimony and shall suffer the respective penalties provided in this section.

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and that the act of respondent in making false allegations in her Answer and submitting an altered/intercalated document are indicative of her moral perversity and lack of integrity which make her unworthy to be a member of the Philippine Bar.

In her Opposition (To Motion To Cite Respondent in Contempt),[15] respondent averred that she did not have the original copy of the marriage certificate because the same was in the possession of Carlos Ui, and that she annexed such copy because she relied in good faith on what appeared on the copy of the marriage certificate in her possession.

Respondent filed her Memorandum[16] on February 22, 1995, and raised the lone issue of whether or not she has conducted herself in an immoral manner for which she deserves to be barred from the practice of law. Respondent averred that the complaint should be dismissed on two (2) grounds, namely:

(i) Respondent conducted herself in a manner consistent with the requirement of good moral character for the practice of the legal profession; and

(ii) Complainant failed to prove her allegation that respondent conducted herself in an immoral manner.[17]

In her defense, respondent contends, among others, that it was she who was the victim in this case and not Leslie Ui because she did not know that Carlos Ui was already married, and that upon learning of this fact, respondent immediately cut-off all her ties with Carlos Ui. She stated that there was no reason for her to doubt at that time that the civil status of Carlos Ui was that of a bachelor because he spent so much time with her, and he was so open in his courtship.[18]

On the issue of the falsified marriage certificate, respondent alleged that it was highly incredible for her to have knowingly

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[15] Records, Vol. III, p. 133.

[16] Records, Vol. III, pp. 265-287.

[17] Records, Vol. III, pp. 275, 281.

[18] Records, p. 278 citing TSN dated January 22, 1993, p. 52.

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attached such marriage certificate to her Answer had she known that the same was altered. Respondent reiterated that there was no compelling reason for her to make it appear that her marriage to Carlos Ui took place either in 1985 or 1987, because the fact remains that respondent and Carlos Ui got married before complainant confronted respondent and informed the latter of her earlier marriage to Carlos Ui in June 1988. Further, respondent stated that it was Carlos Ui who testified and admitted that he was the person responsible for changing the date of the marriage certificate from 1987 to 1985, and complainant did not present evidence to rebut the testimony of Carlos Ui on this matter.

Respondent posits that complainant's evidence, consisting of the pictures of respondent with a child, pictures of respondent with Carlos Ui, a picture of a garage with cars, a picture of a light colored car with Plate No. PNS 313, a picture of the same car, and portion of the house and ground, and another picture of the same car bearing Plate No. PNS 313 and a picture of the house and the garage,[19] does not prove that she acted in an immoral manner. They have no evidentiary value according to her. The pictures were taken by a photographer from a private security agency and who was not presented during the hearings. Further, the respondent presented the Resolution of the Provincial Fiscal of Pasig in I.S. Case No. 89-5427 dismissing the complaint filed by Leslie Ui against respondent for lack of evidence to establish probable cause for the offense charged[20] and the dismissal of the appeal by the Department of Justice[21] to bolster her argument that she was not guilty of any immoral or illegal act because of her relationship with Carlos Ui. In fine, respondent claims that she entered the relationship with Carlos Ui in good faith and that her conduct cannot be considered as willful, flagrant, or shameless, nor can it suggest moral indifference. She fell in love with Carlos Ui whom she believed to be single,

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[19] Records, Vol. III, pp. 52, 54-56.

[20] Records, Vol. III, pp. 71-74.

[21] Resolution No. 030, Series of 1992 of the Department of Justice dated December 18, 1991, Records, Vol. III, pp. 75-78.

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and, that upon her discovery of his true civil status, she parted ways with him.

In the Memorandum[22] filed on March 20, 1995 by complainant Leslie Ui, she prayed for the disbarment of Atty. Iris Bonifacio and reiterated that respondent committed immorality by having intimate relations with a married man which resulted in the birth of two (2) children. Complainant testified that respondent's mother, Mrs. Linda Bonifacio, personally knew complainant and her husband since the late 1970s because they were clients of the bank where Mrs. Bonifacio was the Branch Manager.[23] It was thus highly improbable that respondent, who was living with her parents as of 1986, would not have been informed by her own mother that Carlos Ui was a married man. Complainant likewise averred that respondent committed disrespect towards the Commission for submitting a photocopy of a document containing an intercalated date.

In her Reply to Complainant's Memorandum,[24] respondent stated that complainant miserably failed to show sufficient proof to warrant her disbarment. Respondent insists that contrary to the allegations of complainant, there is no showing that respondent had knowledge of the fact of marriage of Carlos Ui to complainant. The allegation that her mother knew Carlos Ui to be a married man does not prove that such information was made known to respondent.

Hearing on the case ensued, after which the Commission on Bar Discipline submitted its Report and Recommendation, finding that:

> In the case at bar, it is alleged that at the time respondent was courted by Carlos Ui, the latter represented himself to be single. The Commission does not find said claim too difficult to believe in the light of contemporary human experience.

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[22] Records, Vol. III, pp. 289-300.

[23] Records, Vol. III, p. 296.

[24] Records, Vol. III, pp. 317-321.

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Almost always, when a married man courts a single woman, he represents himself to be single, separated, or without any firm commitment to another woman. The reason therefor is not hard to fathom. By their very nature, single women prefer single men.

The records will show that when respondent became aware the (*sic*) true civil status of Carlos Ui, she left for the United States (in July of 1988). She broke off all contacts with him. When she returned to the Philippines in March of 1989, she lived with her brother, Atty. Teodoro Bonifacio, Jr. Carlos Ui and respondent only talked to each other because of the children whom he was allowed to visit. At no time did they live together.

Under the foregoing circumstances, the Commission fails to find any act on the part of respondent that can be considered as unprincipled or disgraceful as to be reprehensible to a high degree. To be sure, she was more of a victim that (*sic*) anything else and should deserve compassion rather than condemnation. Without cavil, this sad episode destroyed her chance of having a normal and happy family life, a dream cherished by every single girl.

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Thereafter, the Board of Governors of the Integrated Bar of the Philippines issued a Notice of Resolution dated December 13, 1997, the dispositive portion of which reads as follows:

RESOLVED to ADOPT and APPROVE, as it is hereby ADOPTED and APPROVED, the Report and Recommendation of the Investigating Commissioner in the above-entitled case, herein made part of this Resolution/Decision as Annex "A", and, finding the recommendation fully supported by the evidence on record and the applicable laws and rules, the complaint for Gross Immorality against Respondent is DISMISSED for lack of merit. Atty. Iris Bonifacio is REPRIMANDED for knowingly and willfully attaching to her Answer a falsified Certificate of Marriage with a stern warning that a repetition of the same will merit a more severe penalty.

We agree with the findings aforequoted.

The practice of law is a privilege. A bar candidate does not have the right to enjoy the practice of the legal profession simply by passing the bar examinations. It is a privilege that can be revoked, subject to the mandate of due process, once a lawyer

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violates his oath and the dictates of legal ethics. The requisites for admission to the practice of law are:

a. he must be a citizen of the Philippines;

b. a resident thereof;

c. at least twenty-one (21) years of age;

d. *a person of good moral character;*

e. he must show that no charges against him involving moral turpitude, are filed or pending in court;

f. possess the required educational qualifications; and

g. pass the bar examinations.[25] (italics supplied)

Clear from the foregoing is that one of the conditions prior to admission to the bar is that an applicant must possess good moral character. More importantly, possession of good moral character must be continuous as a requirement to the enjoyment of the privilege of law practice, otherwise, the loss thereof is a ground for the revocation of such privilege. It has been held:

> If good moral character is a *sine qua non* for admission to the bar, then the continued possession of good moral character is also a requisite for retaining membership in the legal profession. Membership in the bar may be terminated when a lawyer ceases to have good moral character. (*Royong vs. Oblena,* 117 Phil. 865).
>
> A lawyer may be disbarred for "grossly immoral conduct, or by reason of his conviction of a crime involving moral turpitude." A member of the bar should have moral integrity in addition to professional probity.
>
> It is difficult to state with precision and to fix an inflexible standard as to what is "grossly immoral conduct" or to specify the moral delinquency and obliquity which render a lawyer unworthy of continuing as a member of the bar. The rule implies that what appears to be unconventional behavior to the straight-laced may not be the immoral conduct that warrants disbarment.

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[25] Ruben E. Agpalo, *Legal Ethics*, (1985).

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Immoral conduct has been defined as "that conduct which is willful, flagrant, or shameless, and which shows a moral indifference to the opinion of the good and respectable members of the community." (7 C.J.S. 959).[26]

In the case at bar, it is the claim of respondent Atty. Bonifacio that when she met Carlos Ui, she knew and believed him to be single. Respondent fell in love with him and they got married and as a result of such marriage, she gave birth to two (2) children. Upon her knowledge of the true civil status of Carlos Ui, she left him.

Simple as the facts of the case may sound, the effects of the actuations of respondent are not only far from simple, they will have a rippling effect on how the standard norms of our legal practitioners should be defined. Perhaps morality in our liberal society today is a far cry from what it used to be before. This permissiveness notwithstanding, lawyers, as keepers of public faith, are burdened with a higher degree of social responsibility and thus must handle their personal affairs with greater caution. The facts of this case lead us to believe that perhaps respondent would not have found herself in such a compromising situation had she exercised prudence and been more vigilant in finding out more about Carlos Ui's personal background prior to her intimate involvement with him.

Surely, circumstances existed which should have at least aroused respondent's suspicion that something was amiss in her relationship with Carlos Ui, and moved her to ask probing questions. For instance, respondent admitted that she knew that Carlos Ui had children with a woman from Amoy, China, yet it appeared that she never exerted the slightest effort to find out if Carlos Ui and this woman were indeed unmarried. Also, despite their marriage in 1987, Carlos Ui never lived with respondent and their first child, a circumstance that is simply incomprehensible considering respondent's allegation that Carlos Ui was very open in courting her.

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[26] *Arciga vs. Maniwang*, 106 SCRA 591, 594 (1981).

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All these taken together leads to the inescapable conclusion that respondent was imprudent in managing her personal affairs. However, the fact remains that her relationship with Carlos Ui, clothed as it was with what respondent believed was a valid marriage, cannot be considered immoral. For immorality connotes conduct that shows indifference to the moral norms of society and the opinion of good and respectable members of the community.[27] Moreover, for such conduct to warrant disciplinary action, the same must be "grossly immoral," that is, it must be so corrupt and false as to constitute a criminal act or so unprincipled as to be reprehensible to a high degree.[28]

We have held that "a member of the Bar and officer of the court is not only required to refrain from adulterous relationships x x x but must also so behave himself as to avoid scandalizing the public by creating the belief that he is flouting those moral standards."[29] Respondent's act of immediately distancing herself from Carlos Ui upon discovering his true civil status belies just that alleged moral indifference and proves that she had no intention of flaunting the law and the high moral standard of the legal profession. Complainant's bare assertions to the contrary deserve no credit. After all, the burden of proof rests upon the complainant, and the Court will exercise its disciplinary powers only if she establishes her case by clear, convincing and satisfactory evidence.[30] This, herein complainant miserably failed to do.

On the matter of the falsified Certificate of Marriage attached by respondent to her Answer, we find improbable to believe

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[27] *Narag vs. Narag,* 291 SCRA 454, 464 (1998).

[28] *Reyes vs. Wong,* 63 SCRA 667, 673 citing Section 27, Rule 138, New Rules of Court; *Soberano vs. Villanueva,* 6 SCRA 893, 895; *Mortel vs. Aspiras,* December 28, 1956, 100 Phil. 587, 591-593; *Royong vs. Oblena,* April 30, 1963, 7 SCRA 869-870; *Bolivar vs. Simbol,* April 29, 1966, 16 SCRA 623, 630; and *Quingwa vs. Puno,* February 28, 1967, 19 SCRA 439-440, 444-445.

[29] *Ibid.*

[30] *Ibid.*

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the averment of respondent that she merely relied on the photocopy of the Marriage Certificate which was provided her by Carlos Ui. For an event as significant as a marriage ceremony, any normal bride would verily recall the date and year of her marriage. It is difficult to fathom how a bride, especially a lawyer as in the case at bar, can forget the year when she got married. Simply stated, it is contrary to human experience and highly improbable.

Furthermore, any prudent lawyer would verify the information contained in an attachment to her pleading, especially so when she has *personal knowledge* of the facts and circumstances contained therein. In attaching such Marriage Certificate with an intercalated date, the defense of good faith of respondent on that point cannot stand.

It is the bounden duty of lawyers to adhere unwaveringly to the highest standards of morality. The legal profession exacts from its members nothing less. Lawyers are called upon to safeguard the integrity of the Bar, free from misdeeds and acts constitutive of malpractice. Their exalted positions as officers of the court demand no less than the highest degree of morality.

WHEREFORE, the complaint for disbarment against respondent Atty. Iris L. Bonifacio, for alleged immorality, is hereby *DISMISSED*.

However, respondent is hereby *REPRIMANDED* for attaching to her Answer a photocopy of her Marriage Certificate, with an altered or intercalated date thereof, with a *STERN WARNING* that a more severe sanction will be imposed on her for any repetition of the same or similar offense in the future.

SO ORDERED.

Bellosillo (Chairman and Acting Chief Justice), Mendoza, Quisumbing, and *Buena, JJ.*, concur.