



Republic of the Philippines
Supreme Court
 Manila

SUPREME COURT OF THE PHILIPPINES
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CORAZON KANG IGNACIO,
 Complainant,

A.C. No. 9426
 (CBD Case No. 13-3819)

A.C. No. 11988
 (CBD Case No. 14-4219)

-versus-

Present:

ATTY. MONTE P. IGNACIO,
 Respondent.

PERALTA, *CJ., Chairperson,*
 PERLAS-BERNABE,
 LEONEN,
 CAGUIOA,
 GESMUNDO,
 REYES, J., JR.,
 HERNANDO,
 CARANDANG,
 LAZARO-JAVIER,
 INTING,
 ZALAMEDA,
 LOPEZ,
 DELOS SANTOS,
 GAERLAN, and
 BALTAZAR-PADILLA, *JJ.**

X-----X

JANINA B. DE LA CRUZ as
 attorney-in-fact of **CORAZON**
KANG IGNACIO,
 Complainant

- versus -

ATTY. MONTE P. IGNACIO
 Respondent

Promulgated:

August 25, 2020

X-----X

D E C I S I O N

PER CURIAM:

The Court once again exercises its power to discipline a lawyer who contracted a bigamous marriage, engaged in extra-marital affairs, and sired children with different women other than his lawful wife.

* On leave.

ANTECEDENTS

Corazon Kang Ignacio filed two disbarment complaints against Atty. Monte Ignacio docketed as Administrative Case Nos. 9426 and 11988. Allegedly, Atty. Ignacio married Corazon on August 4, 1985. At that time, Corazon was working in the United States (US) and Atty. Ignacio would stay with her abroad every six months. In May 1988, Corazon got pregnant but Atty. Ignacio left the US. On February 28 1989, Corazon gave birth to their child without Atty. Ignacio. In May 1989, Atty. Ignacio visited the US and took the child to the Philippines. Thereafter, Atty. Ignacio entrusted the child to Corazon's half-sister without giving any financial support.¹ In April 1990, Atty. Ignacio brought the child to the US. On the same year, Corazon divorced Atty. Ignacio.²

Moreover, Corazon claimed that Atty. Ignacio committed bigamy because he was previously married to Celia Tingson Valenzuela on July 3, 1978. As supporting evidence, Corazon submitted the corresponding marriage certificate and contract.³ Thus, Corazon charged Atty. Ignacio with bigamy and perjury,⁴ and applied for temporary and permanent protection orders.⁵ Also, Corazon narrated that Atty. Ignacio fathered several children with different women, namely: Maria Juliana, Don Basilio and Monte John with Felisa Dela Cruz; Michelle and an unnamed son with a certain Cecilia from Mindoro; Monteson I and Monteson II with a certain Virginia from Pangasinan; and Joker with Lily Dela Cruz. Lastly, Corazon averred that she lent USD 9,300.00 to Atty. Ignacio as bail in the murder case for which he was implicated. Yet, Atty. Ignacio did not pay his debt despite demand.⁶

In his Comment,⁷ Atty. Ignacio argued that Corazon knew of his previous marriage but she insisted "*for love as well as for convenience because she can easily petition for [his] immigration to the US, after several denials of [his] tourist visa application with the US Embassy.*"⁸ Further, Atty. Ignacio explained that his children Monteson I, Monteson II, Joker and Michelle were born before his marriage with Corazon. On the other hand, Maria Juliana, Don Basilio and Monte John were born after the divorce.

In its Consolidated Report⁹ dated January 8, 2016, the Commission on Bar Discipline of the Integrated Bar of the Philippines (IBP) recommended the disbarment of Atty. Ignacio for gross immoral conduct in contracting a bigamous marriage. Atty. Ignacio did not dispute the authenticity and genuineness of the evidence against him and even admitted his prior marriage.

¹ *Rollo* (G.R. No. 9426), pp. 1-3.

² *Id.* at 16 & 18.

³ *Rollo* (G.R. No. 11988), pp. 12-13.

⁴ *Id.* at 14.

⁵ *Id.* at 20.

⁶ *Rollo* (G.R. No. 9426), pp. 3-5.

⁷ *Id.* at 16-18.

⁸ *Rollo* (G.R. No. 11988), p. 18.

⁹ *Id.* at 87-96.

Meanwhile, Corazon failed to establish the other charges. On February 25, 2016, the IBP Board of Governors affirmed the Commission's findings.¹⁰

RULING

The Court adopts the IBP's findings with modification as to the penalty.

Canon 1,¹¹ Rule 1.01¹² and Canon 7,¹³ Rule 7.03¹⁴ of the Code of Professional Responsibility mandate all lawyers to possess good moral character at the time of their application for admission to the Bar, and require them to maintain such character until their retirement from the practice of law.¹⁵ Indeed, the possession of good moral character is both a condition precedent and a continuing requirement to membership in the legal profession.¹⁶ This proceeds from the bounden duty of lawyers to safeguard the Bar's integrity, 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.¹⁷

As such, any errant behavior of a lawyer, be it in his public or private activities, which tends to show deficiency in moral character, honesty, probity or good demeanor, is sufficient to warrant suspension or disbarment. Specifically, a lawyer may be removed or suspended from the practice of law for grossly immoral conduct.¹⁸ One such instance is when a lawyer engaged in a bigamous marriage. In *Villasanta v. Peralta*,¹⁹ we held that the respondent's act of contracting a second marriage during the existence of his first marriage is contrary to honesty, justice, decency and morality. It is a mockery of marriage which is a sacred institution demanding respect and dignity. Thus, the respondent was disqualified from being admitted to the bar despite passing the examinations. Also, the respondents in *Tucay v. Atty. Tucay*,²⁰ *Villatuya v. Atty. Tabalingcos*,²¹ *Bunagan-Bansig v. Atty. Celera*,²²

¹⁰ *Id.* at 85-86.

¹¹ CANON 1 — A lawyer shall uphold the Constitution, obey the laws of the land and promote respect for law and legal processes.

¹² Rule 1.01. — A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

¹³ CANON 7 — A lawyer shall at all times uphold the integrity and dignity of the legal profession and support the activities of the integrated bar.

¹⁴ Rule 7.03. — A lawyer shall not engage in conduct that adversely reflects on his fitness to practice law, nor shall he, whether in public or private life, behave in a scandalous manner to the discredit of the legal profession.

¹⁵ *Panagsagan v. Panagsagan*, A.C. No. 7733, October 1, 2019, citing *Advincula v. Advincula*, A.C. No. 9226, June 14, 2016, 793 SCRA 236, 247.

¹⁶ *AAA v. De Los Reyes*, A.C. Nos. 10021 & 10022, September 18, 2018, 880 SCRA 268, 281.

¹⁷ *Valdez v. Atty. Dabon*, 773 Phil. 109, 121 (2015).

¹⁸ Section 27, Rule 138 of the Rules of Court provides that a lawyer may be removed or suspended from the practice of law for grossly immoral conduct.

¹⁹ 101 Phil. 313 (1957).

²⁰ 376 Phil. 336 (1999). In this case, we disbarred the respondent lawyer for contracting another marriage while the first marriage was still subsisting. The Court ruled that it "need not delve into the question of whether or not respondent did contract a bigamous marriage, a matter which x x x [was then] pending with the x x x [lower court]. It is enough that the records of this administrative case sufficiently substantiate the findings of the Investigating Commissioner x x x [and] the IBP Board of Governors. x x x."

²¹ 690 Phil. 381 (2012). In this case, the respondent attorney failed to dispute the authenticity or impugn the genuineness of the NSO-certified copies of the Marriage Contracts presented by the complainant to

and *Dr. Perez v. Atty. Catindig, et al.*²³ were all disbarred after entering into a bigamous marriage.

In this case, Atty. Ignacio likewise fell below the standards of morality required of a lawyer when he contracted a bigamous marriage. It is undisputed that Atty. Ignacio entered into two marriages – in 1978 with Celia and in 1985 with Corazon. The marriage contract and certificate that Corazon submitted further establish these facts.²⁴ Also, Atty. Ignacio admitted the prior marriage with Celia and argued that Corazon knew his civil status. However, Atty. Ignacio maintained that it was Corazon who insisted on their marriage and that “*weighing the pros and cons, [he] approved of her plan that she comes home for the marriage so that upon acquiring citizenship, she will immediately file the petition [for immigration] for him.*”²⁵ We find this reason irrelevant.

Foremost, a lawyer’s culpability for gross immorality is not dependent on whether the other party knowingly engaged in an immoral relationship with him.²⁶ Notably, Atty. Ignacio was admitted to the bar in 1974²⁷ and is already a lawyer when he married Celia and Corazon. Thus, he cannot feign ignorance of the law requiring that the first marriage must be annulled before a second marriage may be validly contracted.²⁸ Finally, Atty. Ignacio exhibited reproachable conduct when he engaged in extra-marital affairs and sired children with different women other than his lawful wife.²⁹ The argument that some of the children were born before 1985 while others after the divorce in 1990 does not remove the fact that he begot them while his first marriage with Celia is still existing.

Taken together, Atty. Ignacio is guilty of gross immorality. However, we do not agree with the IBP’s recommendation to disbar Atty. Ignacio. The penalty of disbarment should be imposed with great caution for clear cases of misconduct that seriously affects the standing and character of an officer of

prove that respondent married three different women. Further, the respondent did not invoke any grounds in the Civil Code provisions on marriage in his petitions to annul the second and third marriages.

We ruled that “[r]espondent exhibited a deplorable lack of that degree of morality required of him as a member of the bar. He made a mockery of marriage, a sacred institution demanding respect and dignity.” We disbarred Atty. Tabalingcos for engaging in bigamy, a grossly immoral conduct.

²² 724 Phil. 141 (2014). In this case, we disbarred the respondent lawyer for contracting a second marriage despite the existence of his first marriage, on the basis of the certified xerox copies of the marriage contracts submitted by the complainant.

²³ 755 Phil. 297 (2015). In this case, we also disbarred the respondent for entering into a second marriage despite knowing fully well that his previous marriage still subsisted. We held that contracting a marriage during the subsistence of a previous one amounts to a grossly immoral conduct.

²⁴ *Sps. Salgado v. Anson*, 791 Phil. 481 (2016). See RULES OF COURT, Rule 130, Section 44.

²⁵ *Rollo* (G.R. No. 11988), p. 19.

²⁶ *Zaguirre v. Atty. Castillo*, 446 Phil. 861 (2003). In this case, we ruled that granting arguendo that complainant entered into a relationship with the respondent knowing full well his marital status, still it does not absolve him of gross immorality for what is in question in a case like this is his fitness to be a member of the legal profession. It is not dependent whether or not the other party knowingly engaged in an immoral relationship with him.

²⁷ *Rollo* (G.R. No. 9426), p. 108.

²⁸ See *Marbella-Bobis v. Bobis*, 391 Phil. 648 (2000).

²⁹ See *Toledo v. Toledo*, 117 Phil. 768 (1963); *Paras v. Atty. Paras*, 397 Phil. 462 (2000); and *Zaguirre v. Atty. Castillo*, *supra*.

the court.³⁰ Although the reason of Atty. Ignacio for contracting both marriages is not a valid excuse, we note that he did not deceive the Court and instead exhibited candor in admitting the transgression. Moreover, there was no showing that Atty. Ignacio is unfit to continue his membership in the bar. In these circumstances, a penalty of suspension from the practice of law for five years is proper.

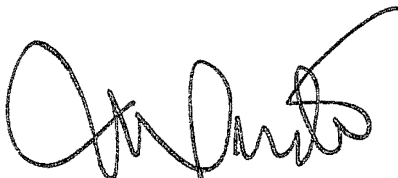
On this point, we reiterate that lawyers are duty-bound to observe the highest degree of morality and integrity not only upon admission to the Bar but also throughout their career in order to safeguard the reputation of the legal profession.³¹ Time and again, the Court reminds the members of the bar that the practice of law is not a right but a mere privilege subject to the inherent regulatory power of this Court,³² viz.:

The practice of law is a privilege burdened with conditions. Adherence to the rigid standards of mental fitness, maintenance of the highest degree of morality and faithful compliance with the rules of the legal profession are the conditions required for remaining a member of good standing of the bar and for enjoying the privilege to practice law.³³

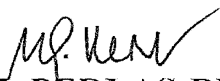
FOR THESE REASONS, the Court finds Atty. Monte P. Ignacio **GUILTY** of gross immorality in violation of Canon 1, Rule 1.01 and Canon 7, Rule 7.03 of the Code of Professional Responsibility. He is **SUSPENDED** from the practice of law for a period of five years.

Let a copy of this decision be furnished to the Office of the Bar Confidant for immediate implementation; 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.



DIOSDADO M. PERALTA
Chief Justice



ESTELA M. PERLAS-BERNABE
Associate Justice

See separate opinion



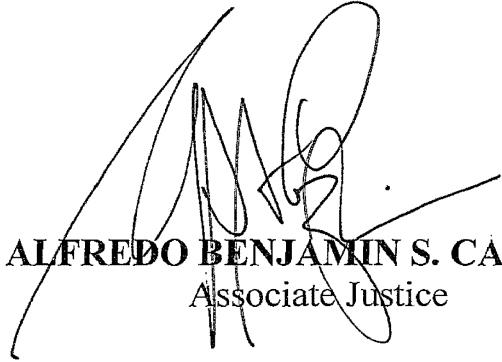
MARC M.V.F. LEONEN
Associate Justice

³⁰ *Advincula v. Atty. Macabata*, 546 Phil. 431 (2007).

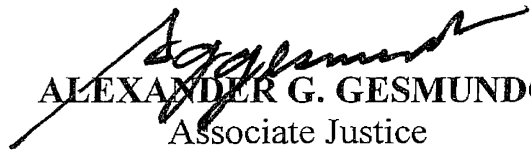
³¹ *AAA v. De Los Reyes*, *supra*.

³² *Maniago v. Atty. De Dios*, 631 Phil. 139 (2010).

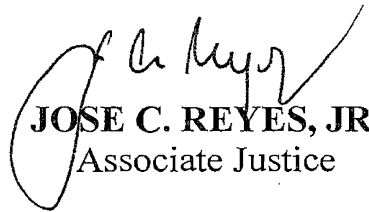
³³ *Dumadag v. Atty. Lumaya*, 390 Phil. 1, 10 (2006), citing *Adez Realty, Inc. v. CA*, 321 Phil. 556 (1995) and *Zaldivar v. Sandiganbayan*, 221 SCRA 132 (April 7, 1993).



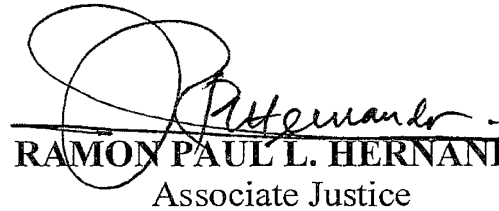
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



ALEXANDER G. GESMUNDO
Associate Justice



JOSE C. REYES, JR.
Associate Justice



RAMON PAUL L. HERNANDO
Associate Justice



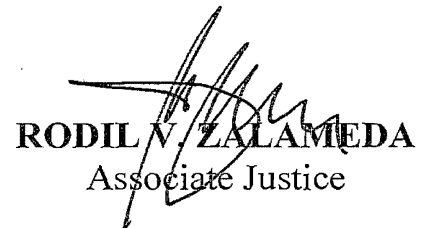
ROSMARI D. CARANDANG
Associate Justice



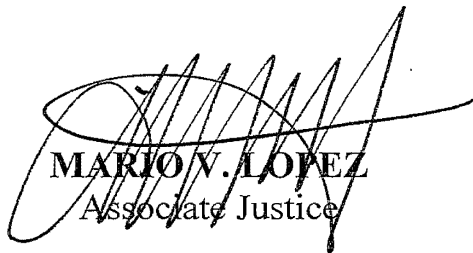
AMY C. LAZARO-JAVIER
Associate Justice



HENRI JEAN PAUL B. INTING
Associate Justice



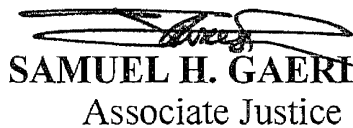
RODIL V. ZALAMEDA
Associate Justice



MARIO V. LOPEZ
Associate Justice



EDGARDO L. DELOS SANTOS
Associate Justice



SAMUEL H. GAERLAN
Associate Justice

(On leave)
PRISCILLA J. BALTAZAR-PADILLA
Associate Justice

EN BANC

A.C. No. 9426 – CORAZON KANG IGNACIO, *Complainant*, v. ATTY. MONTE P. IGNACIO, *Respondent*;

A.C. No. 11988 – JANINA B. DELA CRUZ as attorney-in-fact of CORAZON KANG IGNACIO, *Complainant*, v. ATTY. MONTE P. IGNACIO, *Respondent*.

Promulgated:

August 25, 2020

X-----X

CONCURRING OPINION

LEONEN, J.:

I concur with the *ponencia*. The Integrated Bar of the Philippines' recommended penalty of disbarment¹ was rightly modified. A suspension of five (5) years is sufficient for the erring lawyer here, he having demonstrated candor in admitting his transgression.

Disbarment should be imposed sparingly, upon a clear showing of misconduct that "seriously affect[s] the standing and character of the lawyer as an officer of the court and member of the Bar."²

In my concurring and dissenting opinion³ in *Anonymous Complaint v. Judge Dagala*,⁴ I opined that disbarment should be imposed "for those who commit indiscretions that (a) are repeated, (b) result in permanent rearrangements that cause extraordinary difficulties on existing legitimate relationships, or (c) are *prima facie* shown to have violated the law":

I appreciate the *ponente*'s acknowledgment that "immorality only becomes a valid ground for sanctioning members of the Judiciary when the questioned act challenges his or her capacity to dispense justice." This affirms this Court's principle that our jurisdiction over acts of lawyers and judges is confined to those that may affect the people's confidence in the Rule of Law. There can be no immorality committed when there are no victims who complain. And even when they do, it must be shown that they were directly damaged by the immoral acts and their rights violated. A judge having children with women not his wife, in itself, does not affect his

¹ Ponencia, p. 3.

² *Advincula v. Macabata*, 546 Phil. 431, 447 (2007) [Per J. Chico-Nazario, Third Division].

³ J. Leonen, Concurring and Dissenting Opinion in *Anonymous Complaint v. Dagala*, 814 Phil. 103, 136-156 (2017) [Per Curiam, En Banc].

⁴ 814 Phil. 103 (2017) [Per Curiam, En Banc].

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ability to dispense justice. What it does is offend this country's predominantly religious sensibilities.

We should not accept the stereotype that all women, because they are victims, are weak and cannot address patriarchy by themselves. The danger of the State's over-patronage through its stereotype of victims will be far reaching. It intrudes into the autonomy of those who already found their voice and may have forgiven.

The highest penalty should be reserved for those who commit indiscretions that (a) are repeated, (b) result in permanent rearrangements that cause extraordinary difficulties on existing legitimate relationships, or (c) are *prima facie* shown to have violated the law. The negligence or utter lack of callousness of spouses who commit indiscretions as shown by their inability to ask for forgiveness, their concealment of the act from their legitimate relationships, or their lack of support for the children born out of wedlock should be aggravating and considered for the penalty to be imposed.⁵ (Citations omitted)

Here, the *ponencia* found respondent Atty. Monte P. Ignacio (Atty. Ignacio) guilty of gross immorality and imposed upon him a five-year suspension from the practice of law.⁶ It cited two (2) reasons: first, his admitted bigamous marriage with the complainant; and second, his "reproachable conduct when he engaged in extra-marital affairs and sired children with different women other than his lawful wife."⁷

In cases involving illicit sexual relations and gross immorality, this Court has imposed varying penalties ranging from suspension to disbarment, depending on the circumstances:

In a number of administrative cases involving illicit sexual relations and gross immorality, this Court imposed upon the erring lawyers various penalties ranging from suspension to disbarment, depending on the circumstances. In *De Leon v. Pedreña*, we suspended the respondent from the practice of law for two years for rubbing complainant's leg with his hand, putting complainant's hand on his crotch area, and pressing his finger on complainant's private part. In *Tumbaga v. Teoxon*, the respondent was suspended for three years from the practice of law for committing gross immorality by maintaining an extramarital affair with complainant. This Court, in *Zaguirre v. Castillo*, meted the penalty of indefinite suspension on Atty. Castillo when he had an illicit relationship with a woman not his wife and sired a child with her, whom he later on refused to recognize and support. In *Dantes v. Dantes*, the respondent was disbarred when he engaged in illicit relationships with two different women during the subsistence of his marriage to complainant. We also ruled in *Arnobit v. Arnobit*, that respondent's act of leaving his wife and 12 children to cohabit and have children with another woman constitutes grossly immoral conduct, for which respondent was disbarred. Likewise, in *Delos Reyes v. Aznar*, we disbarred respondent, Chairman of the College of Medicine, for his acts of

⁵ Id. at 155.

⁶ Ponencia, p. 5.

⁷ Id. at 4.

enticing the complainant, who was then a student in the said college, to have carnal knowledge with him under the threat that she would fail in all of her subjects if she refused respondent.

In *Ventura v. Samson*, this Court has reminded that the power to disbar must be exercised with great caution, and only in a clear case of misconduct that seriously affects the standing and character of the lawyer as an officer of the Court and as a member of the bar. Disbarment should not be imposed where a lesser penalty may accomplish the desired goal of disciplining an erring lawyer. In the present case, however, respondent Atty. De Los Reyes's actions show that he lacks the degree of morality required of him as a member of the legal profession, thus warranting the penalty of disbarment. Respondent Atty. De Los Reyes is disbarred for his gross misbehavior, even if it pertains to his private activities, as long as it shows him to be wanting in moral character, honesty, probity or good demeanor. Possession of good moral character is not only a prerequisite to admission to the bar but also a continuing requirement to the practice of law.⁸ (Citations omitted)

In this case, Atty. Ignacio does not dispute the allegation that he has contracted two marriages, one in 1978 and another in 1985.⁹ In fact, as the *ponencia* noted, he “exhibited candor in admitting his transgression.”¹⁰

I agree that there is no misconduct here that seriously affects Atty. Ignacio's standing that would warrant disbarment.¹¹ He neither deceived this Court nor tried to justify his behavior. He may have been guilty of gross immorality for contracting a bigamous marriage, but that does not make him unfit to continue his membership in the Bar.

For that, a five-year suspension is proper.

Indeed, suspending Atty. Ignacio for gross immorality for his admitted bigamy is not without precedent. As early as *Pangan v. Atty. Ramos*,¹² this Court imposed a three-year suspension on a lawyer charged with bigamy.

In that case, upon learning of his former marriage, Atty. Dionisio Ramos's (Atty. Ramos) second wife filed a criminal complaint for bigamy and sought Atty. Ramos's disbarment. Atty. Ramos later submitted that since he has been acquitted of bigamy, the disbarment case must be dismissed. This Court held that even with the dismissal of the criminal case, Atty. Ramos still committed gross immoral acts, for which a three-year suspension from the practice of law sufficed as penalty:

⁸ *AAA v. De Los Reyes*, A.C. Nos. 10021–22, September 18, 2018, <<https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/64655>> [Per Curiam, En Banc].

⁹ *Ponencia*, p. 4.

¹⁰ *Id.* at 5.

¹¹ *Id.* at 4–5.

¹² 194 Phil. 1 (1981) [Per J. De Castro, Second Division].

Upon a review of the record, We are convinced that respondent Dionisio Ramos is guilty of grossly immoral conduct which warrants proper action from this Court. His own declarations in his affidavit corroborate this imputation of immorality. Thus, in his affidavit subscribed before Asst. Fiscal Primitivo Peñaranda of Manila on Feb. 22, 1967, respondent frankly admitted having carnal relations with complainant for several times. What is more, respondent claimed that he was threatened and forced by complainant's brothers to celebrate the marriage dated June 18, 1980, but in the same breath, he admitted having carnal affair with complainant after the celebration of the marriage. Worse still, respondent misrepresented his civil status as "single", courted complainant, proposed marriage to her — knowing his legal impediments to marry complainant, respondent's motives were clearly and grossly immoral — won her confidence and married her while his first marriage to his present wife still validly subsists.

....

Respondent, however, submits that having been acquitted by the Court of First Instance of Manila, Branch XXI, of the charge of bigamy, the immorality charges filed against him in this disbarment case should be dismissed. The acquittal of respondent Ramos upon the criminal charge is not a bar to these proceedings. The standards of legal profession are not satisfied by conduct which merely enables one to escape the penalties of the criminal law. Moreover, this Court in disbarment proceedings is acting in an entirely different capacity from that which courts assume in trying criminal cases.

....

In the light of the foregoing, the court finds that respondent committed a grossly immoral act, as found both by the Solicitor General and this Court's Legal Officer-Investigator, and as recommended by the Solicitor General, respondent is hereby suspended from the practice of law for a period of three (3) years, for gross immorality, and an additional one (1) year for his willful disregard of a lawful order against his using an unauthorized name, in serious disrespect of this Court.¹³ (Citations omitted)

This case is similar. Here, Atty. Ignacio, like Atty. Ramos, contracted a subsequent marriage while his first marriage was subsisting, and while he was already a lawyer. With Atty. Ignacio having shown candor in owning up to his behavior, he deserves to be suspended, but only for five years.

ACCORDINGLY, I concur.


MARVIC M.V.F. LEONEN
Associate Justice

¹³ Id. at 7-9.