



Supreme Court of the Philippines
Manila

OFFICE OF THE COURT ADMINISTRATOR

CIRCULAR NO. 33-92

TO : THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A CIRCUIT COURTS AND THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT : INDEFINITE SUSPENSION OF ATTY. HAROLD M. HERNANDO FROM THE PRACTICE OF LAW

For the information and guidance of all concerned, quoted thereunder are pertinent portions of the Resolution of the Court En Banc dated May 8, 1992, in A. C. No. 2427 entitled "Atty. Onofre P. Tejada vs. Atty. Harold M. Hernando", to wit:

"We recall this Court's Resolution in Vda. de Guerrero v. Hernando (Adm. Case No. 704, November 24, 1975, 68 SCRA 76), where we had previously found the Respondent guilty as a notary in making it appear in the jurat of a tenancy contract that affiant Tranquilino Bernardo exhibited to him a residence certificate when in fact he did not do so. He was then

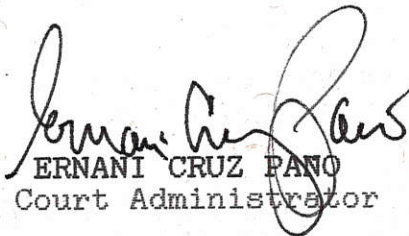
severely censured for the falsehood which he had committed and at the same time x x x barred or disqualified from acting as a notary public for a period of one year counted from notice of the entry of judgment in this case. He is warned that a more drastic punishment would be imposed on (sic) a repetition of the same anomaly.

"The imposition of that severer penalty on respondent is now in order for the commission of a more blatant anomaly. He has miserably failed to live up to the standards expected of a member of the Bar (Bautista v. Gonzales (Adm. Matter No. 1625, February 12, 1990, 182 SCRA 151, citing Artiaga v. Villanueva, Adm. Matter No. 1892, July 29, 1988, 163 SCRA 638). His actuations amount to

gross misconduct and dishonesty, in violation of his lawyer's oath and the fundamental ethics of the profession (Merritt v. Cacanindin, Adm. Case No. 1422, October 27, 1983, 125 SCRA 286).

WHEREFORE, respondent, Harold M. Hernando, is found guilty of grave professional misconduct and is hereby SUSPENDED from the practice of law UNTIL FURTHER ORDERS."

June 30, 1992.


ERNANI CRUZ PANO
Court Administrator

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