

## **EN BANC**

**[ B.M. Nos. 979 and 986, December 10, 2002 ]**

**RE: 1999 BAR EXAMINATIONS, MARK ANTHONY A. PURISIMA,  
PETITIONER.**

### **R E S O L U T I O N**

**BELLOSILLO, J.:**

Petitioner was conditionally admitted to take the 1999 Bar Examinations. Like many others he was directed "to submit the required certification of completion of the pre-bar review course within sixty (60) days from the last day of the examinations."

Petitioner passed the 1999 Examinations. But in a Resolution dated 13 April 2000 the Court disqualified him from becoming a member of the Philippine Bar and declared his examinations null and void on two (2) grounds: (a) Petitioner failed to submit the required certificate of completion of the pre-bar review course under oath for his conditional admission to the 1999 Bar Examinations; and (b) He committed a serious act of dishonesty which rendered him unfit to become a member of the Philippine Bar when he made it appear in his Petition to Take the 1999 Bar Examinations that he took his pre-bar review course at the Philippine Law School (PLS) when, as certified by Acting Registrar Rasalie G. Kapauan, PLS had not offered such course since 1967.

Petitioner moved for a reconsideration of the 13 April 2000 Resolution but his motion was denied.

On 29 October 2001, retired Regional Trial Court Judge Amante P. Purisima, father of petitioner, filed a Petition to Reopen Bar Matter 986. However, the Court in its Resolution of 27 November 2001 "noted without action" the said petition and further resolved "that no further pleadings will be entertained."

On 2 July 2002 petitioner filed a Motion for Due Process stating, among others, his reasons why in his Petition to Take the 1999 Bar Examinations it was stated that he was enrolled in and regularly attending the pre-bar review course at the PLS and not at the University of Santo Tomas (UST) where he in fact took the said course as evidenced by the Certification dated 22 July 1999 of Dean Amado L. Damayuga of the UST Faculty of Civil Law.

Petitioner claimed that the statement in paragraph 8 of his Petition that "he x x x enrolled in and passed the regular fourth year (law) review classes at the Phil. Law School x x x x" was a "self-evident clerical error and a mere result of an oversight which is not tantamount to a deliberate and willful declaration of a falsehood."

Petitioner explained that upon obtaining a "ready-made form" of the Petition and affixing his signature on the space provided therefor, he requested his schoolmate/friend Ms. Lilian A. Felipe to fill up the form, have it notarized and then to file it for him with the Office of the Bar Confidant (OBC). Being "consumed with

his preparations for the upcoming bar examinations," petitioner admitted that he did not have the opportunity to check the veracity of the information supplied by Ms. Felipe. Had he done this he could have readily seen that Ms. Felipe had erroneously typed "Philippine Law School," instead of UST, on the space provided for the school where petitioner attended his pre-bar review course.

Petitioner further averred that on 26 July 1999, a week after the filing of the Petition to take the bar, he (thru Ms. Felipe) submitted the Certification of Completion of the Pre-Bar Review as Annex "D" of his Petition to prove that he actually enrolled and attended the pre-bar review course in UST.

To corroborate his enrollment in UST, petitioner submitted (a) the Official Receipt of his payment of tuition fee for the course; (b) his identification card for the course; (c) car pass to the UST campus; (d) individual affidavits of classmates in the pre-bar review course in UST that petitioner was their classmate and that he attended the review course; (e) separate affidavits of five (5) UST students/acquaintances of petitioner that they saw him regularly attending the review lectures; (f) affidavit of Professor Abelardo T. Domondon attesting to the attendance of petitioner in his review classes and lectures in Taxation and Bar Review Methods at the UST Faculty of Civil Law; (g) affidavit of Ms. Gloria L. Fernandez, maintenance staff at the UST Law Department that she knew petitioner very well as he was among those who would arrive early and request her to open the reading area and turn on the airconditioning before classes started; and, (h) affidavit of Ms. Melicia Jane Parena, office clerk at the UST Faculty Civil Law, that Dean Dimayuga issued the Certification dated 22 July 1999 to the effect that petitioner was officially enrolled in and had completed the pre-bar review course in UST which started on 14 April 1999 and ended 24 September 1999.

Petitioner also explained that he did not submit the required certification of completion of the pre-bar review course within sixty (60) days from the last day of the examinations because he thought that it was already unnecessary in view of the Certification of Completion (Annex "D" of his Petition) issued by Dean Dimayuga which not only attested to his enrollment in UST but also his completion of the pre-bar review course.

In a letter dated 17 September 2002, addressed to Chief Justice Hilario G. Davide, Jr., thru Senior Associate Justice Josue N. Bellosillo, who took over as Chairman of the 1995 Committee on Bar Examinations, retired Judge Purisima expressed his concern for his son and stated that his son took the pre-bar review course in UST and that he entry in his son's Petition that he took it in PLS is a "self-evident clerical error." He then poised the question that if there was really a falsehood and forgery in paragraph 8 and Annex "D" of the Petition, which would have been a fatal defect, why then was his son issued permit to take the 1999 Bar examinations?

Pursuant to the Court Resolution of 1 October 2002, the OBC conducted a summary hearing on 30 October 2002 during which the Bar Confidant asked clarificatory questions from petitioner who appeared together with his father, retired Judge Purisima, and Ms. Lilian Felipe.

On 7 November 2002 the OBC submitted its Report and Recommendation the pertinent portions of which are quoted hereunder:

"Considering petitioner's explanation fortified by unquestionably genuine documents in support thereof, we respectfully submit that petitioner