

Title:

Quião v. Quião: The Resolution of Legal Separation, Dissolution, and Partition of Properties

Facts:

- **October 26, 2000**: Rita C. Quião filed a complaint for legal separation against Brigido B. Quião.
- **October 10, 2005**: The RTC rendered a decision granting legal separation, custody of minor children to Rita, and orders the equal division of properties, except those foreclosed, between the spouses. Brigido's share in the net profits forfeited in favor of the common children. He was also ordered to reimburse legal fees and expenses.
- Post-decision, neither party filed for reconsideration or appeal, allowing the decision to become final and executory.
- **December 12, 2005**: Respondents filed for execution, which was granted by the trial court on December 16, 2005.
- **February 10, 2006**: A Writ of Execution was issued.
- **July 6, 2006**: Partial execution was done with Brigido paying a specified sum.
- **July 7, 2006**: Brigido filed a Motion for Clarification on "Net Profits Earned".
- **August 31, 2006**: The RTC ruled "NET PROFIT EARNED" as the remainder after deductions, ordered forfeiture in favor of the common children.
- Brigido filed a Motion for Reconsideration, leading to an order on **November 8, 2006**, setting aside the August 31 order.
- Respondents' Motion for Reconsideration led to the January 8, 2007 order, reinstating the original direction for forfeiture.
- Dissatisfied, Brigido then filed a Petition for Review under Rule 45 of the Rules of Court on February 27, 2007.

Issues:

1. **Is the dissolution and liquidation of common properties governed by Article 125 of the Family Code due to legal separation?**
2. **What constitutes the "Net Profits Earned" by the conjugal partnership for forfeiture purposes under Article 63 of the Family Code?**
3. **What law governs the property relations for a marriage in 1977, and can the Family Code be retroactive without impairing vested rights acquired under the Civil Code?**
4. **What properties are included in the forfeiture of the guilty spouse's share in the net conjugal partnership as a result of legal separation?**

Court's Decision:

1. **Finality of the Decision**: The Supreme Court noted the final and executory nature of the October 10, 2005 decision, rejecting Brigido's late attempt for clarification.
2. **Jurisdiction and Validity**: It stated the trial court held proper jurisdiction, making its judgment not void.
3. **Property Relations and Applicable Law**: The Court clarified that Article 129 of the Family Code, not Article 102, applies because of the conjugal partnership regime. The petitioner's vested rights argument was refuted based on proper legal and due process considerations.
4. **Net Profits Clarification**: The Court adhered to the Family Code's definition, noting the net profits are all fruits of separate properties and industry labor, applying to both absolute community and conjugal partnership regimes.
5. **End Result**: Affirmed the RTC's decision but provided clarity based on the rulings' analysis.

Doctrine:

- The legal separation and ensuing property relations are governed by the Family Code, taking precedence where it doesn't impair vested rights.
- The application of Family Code provisions related to legal separation and conjugal partnership dissolution is not retroactive if it infringes on pre-established rights.

Class Notes:

- **Legal Separation Impact**: Does not sever the marital bond but results in property partition and custodial arrangements.
- **Conjugal Partnership Regime**: Both spouses contribute to the common fund, with division of net gains upon dissolution.
- **Retrospective Application of Laws**: The Family Code's retroactive application is contingent upon not prejudicing vested rights.
- **Forfeiture in Legal Separation**: The guilty spouse's share in conjugal partnership profits can be forfeited in favor of the children, based on Article 63(2) of the Family Code and reiteration in prior jurisprudence.

Historical Background:

This case offers insight into the dynamics and complexities of legal separation within the Filipino legal framework, especially concerning property relations under different codes (Civil and Family Code) depending on when the marriage took place. It illustrates the judicial process' movement towards clarifying the Family Code's impact on property

relations, affirming its stance on protecting the interests of innocent spouses and children in legal separation cases.