

****Title:**** Guilas vs. Judge of the Court of First Instance of Pampanga and Alejandro Lopez

****Facts:**** This case revolves around the estate of Jacinta Limson de Lopez, who was married to Alejandro Lopez y Siongco. They did not have children. On April 28, 1936, Jacinta executed a will appointing her husband Alejandro as her sole heir and executor. Years later, Juanita Lopez was legally adopted by the spouses as their daughter and legal heir, yet Jacinta did not update her will to include Juanita. The will was admitted to probate on March 5, 1959, with Alejandro appointed as the executor.

On March 19, 1960, a project of partition was executed, recognizing Juanita's right to inherit and allocating certain properties to her. However, disagreements over the partition led Juanita to file an action to annul the project of partition in 1964, citing lesion, preterition, and fraud. Subsequent legal maneuvers and filings revolved around the delivery and possession of specific properties allocated to Juanita. The lower court eventually issued orders that, among other things, suspended resolution on the petition for delivery until after the civil action for annulment was decided and denied Juanita's motions challenging these decisions.

****Issues:**** The legal issues center on whether the probate proceedings were properly closed and terminated, the rights of an adopted child in inheritance matters, especially when the adoptive parent's will was not updated to reflect the adoption, and the procedural propriety of resolving ownership and possession disputes within the context of probate proceedings versus a separate civil action.

****Court's Decision:**** The Supreme Court sided with Juanita Lopez Guilas. It held that the probate proceedings are not deemed closed and terminated until the payment of all debts and the distribution of the estate to the heirs as ordered. The approval of a project of partition does not, by itself, terminate probate proceedings. Consequently, the Court declared null and void the orders of the lower court that attempted to suspend and eventually deny Juanita's petition for delivery of her hereditary shares. The Supreme Court also directed specific actions to correct the registration of titles and the delivery of properties and income derived therefrom to Juanita.

****Doctrine:**** The doctrine established in this case underscores that the probate court retains jurisdiction over an estate until all debts are paid and all distributions to heirs as mandated by the court's order are completed. A judicial partition is not considered final and conclusive, allowing for an heir to demand their share, provided that the request is filed

within a permissible period and through appropriate motions in the probate proceedings themselves.

****Class Notes:****

1. ****Probate Jurisdiction:**** The probate court's jurisdiction over an estate lasts until all debts are settled and estate distribution to the heirs is accomplished.
2. ****Judicial Partition:**** Not final and conclusive, allowing for heirs to claim their shares post-approval of the project of partition.
3. ****Right of Adopted Child:**** Recognized in inheritance disputes, specifically regarding the inclusion of legally adopted children as heirs in cases where the adoptive parent did not update their will.
4. ****Approach to Dispute Resolution:**** Preferable that heirs demand their share through proper motions within the existing probate or administrative proceedings, avoiding separate actions that could lead to conflicting court decisions.

****Historical Background:**** This case illustrates the complexities and challenges in Philippine inheritance law, especially regarding the rights of adopted children and the processes involved in probate proceedings. It highlights the importance of clearly delineated inheritance plans and the potential for legal disputes when a decedent's will does not reflect changes in family structure, such as adoption, occurring after the will's execution.