

****Title:**** Abutin vs. San Juan: A Philippine Supreme Court Ruling on Probate, Notification, and Finality of Orders

****Facts:**** Corazon M. San Juan died on March 23, 2008, leaving behind property in Tondo, Manila, after a same-sex relationship spanning 48 years with Purita Dayao, and cohabitating with Purita's daughter, Filipina D. Abutin. Corazon's purported holographic wills dated Dec 23, 2007, and March 10, 2008, designated her estate to Purita and Filipina. Following Corazon's death, Purita and Filipina petitioned for the probate of these wills. Corazon's relatives opposed the petition. After a trial, including handwriting verification by an NBI expert, the RTC admitted the wills to probate in an order dated Dec 28, 2015.

In March 2016, following inquiries into the order's finality, Purita and Filipina learned that the order's receipt was acknowledged by Rodnelito Capuno on Feb 9, 2016, on behalf of Corazon's counsel. A Motion for Entry of Judgment was then filed by Purita and Filipina on April 7, 2016. The opposing party filed a Motion for Reconsideration on April 12, 2016, after a change in their legal representation. The RTC initially granted the probate, but reversed its decision in a subsequent order dated Nov 25, 2016.

Filipina's Notice of Appeal was dismissed by the RTC for failing to include the record on appeal, leading to the elevation of the matter to the Court of Appeals, which dismissed Filipina's petition. This was followed by a Supreme Court petition, culminating in the present decision.

****Issues:****

1. Whether RTC Judge Patrimonio-Soriano committed grave abuse of discretion in reversing her Dec 28, 2015 order allowing probate of Corazon's holographic wills.
2. Whether the judge committed grave abuse of discretion in dismissing Filipina's appeal for failure to include the record on appeal.

****Court's Decision:****

The Supreme Court ruled that Judge Patrimonio-Soriano committed grave abuse of discretion in reversing her initial order admitting the wills to probate, and in dismissing the subsequent appeal for lack of record on appeal. The Court reinstated the December 28, 2015 order, thereby allowing the probate of Corazon's wills.

****Doctrine:**** The Court reiterated that the service of court documents through registered mail is considered complete upon actual receipt by the addressee or after five days from the first notice of the postmaster, whichever is earlier. Additionally, the Court highlighted that

the negligence of counsel binds the client, except in instances where such negligence deprives the client of due process. The finality of a judgment is a jurisdictional event that cannot depend on the convenience of a party.

****Class Notes:****

- Service of Court Processes: Effective upon actual receipt or five days after postmaster's notice.
- Negligence of Counsel: Binds the client unless it results in the loss of due process.
- Finality of Judgements: Cannot be altered or appealed once declared final, save for exceptional circumstances where due process is compromised.

****Historical Background:**** This case underscores the intricacies involved in the probate of holographic wills, issues of finality and service of court orders, and highlights the judiciary's stance on the responsibilities of legal counsel towards their clients and the judicial process. It also reflects on the evolving recognition of same-sex relationships and their legal implications on inheritance rights in the Philippines.