

Title: Gil Go v. Republic of the Philippines, G.R. No. L-24922

Facts:

- Gil Go, originally registered as Gil Co, was born in Tacloban City on September 1, 1942.
- Go's parents were Co Beng Chiong and Ong Sun Ti.
- Allegedly following a Chinese custom during the liberation period, Co Beng Chiong adopted the surname "Yao" from his godfather and changed his name to Yao Ka Sin. No documentary evidence substantiated this.
- Go claimed he was baptized as Gil Yao Eng Hua. He used the name Henry Yao among relatives, friends, and business associates, while using Gil Co in official transactions. Again, no documentary evidence or third-party testimonies supported this.
- Go filed a petition on March 9, 1965, in the Court of First Instance (CFI) of Leyte to legally change his name to Henry Yao, citing confusion caused by the multiple names.
- The City Fiscal opposed the petition at the hearing. Despite the opposition, the lower court granted the name change.
- The City Fiscal appealed to the Supreme Court on the basis of jurisdictional and substantive issues concerning the petition.

Issues:

1. Whether the lower court correctly acquired jurisdiction to hear the petition for change of name despite the deficiencies in the title and caption of the petition.
2. Whether Gil Go's reasons and evidence presented were sufficient to justify changing his name to Henry Yao.

Court's Decision:

1. **Jurisdiction:**

The Supreme Court found that the petition and the published order setting the hearing were defective. The title or caption of the petition did not specify the new name sought to be adopted, nor did it include all relevant aliases. This violated procedural requirements and failed to provide proper notice to interested parties. The deficiency implied that the CFI of Leyte did not acquire proper jurisdiction over the petition. As such, the lower court's order was rendered invalid.

2. **Sufficiency of Evidence:**

The Court further noted that Gil Go failed to provide compelling evidence to justify the name change. There was no corroborating witness testimony or relevant documents proving he was known as Henry Yao or that his father was recognized as Yao Ka Sin. The change of

name should meet stringent requirements because it involves public interest and identification concerns. The absence of weighty reasons and failure to demonstrate the use of “Henry Yao” convincingly were grounds to deny the petition.

Doctrine:

- **Jurisdiction in Change of Name Proceedings:** Proper jurisdiction in change of name cases is obtained only if the petition and the published order setting the hearing follow statutory requirements, including the specific name to be adopted and relevant aliases in the title or caption.
- **Public Interest and Change of Name:** The Court underscored the necessity for significant, corroborated reasons when petitioning for a name change. Names are crucial for public identification, and changes should only be allowed for compelling reasons affecting genuine public or personal interest.

Class Notes:

- **Key Concepts:**
- **Proceeding in Rem:** Jurisdiction is acquired through statutory compliance with publication requirements in such cases.
- **Public Interest:** Change of name petitions must be justified by significant reasons due to public identification interests.
- **Burden of Proof:** The petitioner must present corroborative evidence and strong justification for the change of name.
- **Relevant Statutory Provisions:**
- **Rules of Court, Rule 103 (Philippines):** Governing change of name, emphasizing the procedural and evidentiary requirements for such petitions.
- **Application in Case:**
- **Jurisdiction and Publication:** The case demonstrated the critical importance of following procedural rules strictly to ensure due process and proper public notification in proceedings affecting personal status.
- **Evidentiary Standards:** Emphasizing the requirement for substantial and corroborated evidence to substantiate claims in change of name petitions.

Historical Background:

During the post-liberation period in the Philippines, certain cultural practices, such as adopting godparents’ surnames, influenced identification documents. This historical context

explains Gil Go's claim of name transformation based on such customs. The legal scrutiny in this case reflects the judiciary's role in balancing traditional practices with statutory and public interest requirements in identity documentation.