

**\*\*Title:** ACOSTA VS. PLAN: Appeal Requirements for Pauper Litigants**\*\***

**\*\*Facts:\*\***

On January 8, 1962, Magdalena V. Acosta, Juliana V. Acosta, and Rosita V. Acosta (petitioners) filed an accion publiciana (Civil Case No. 1201) in the Court of First Instance of Isabela against Bernardino Magday (private respondent). After Magday's initial response, the petitioners amended their complaint on August 25, 1971, to include the Department of Agriculture and Natural Resources and the Bureau of Lands as defendants. Magday then filed an amended answer, and the newly added defendants also submitted separate answers.

The parties agreed on a stipulation of facts, and the petitioners moved for judgment on the pleadings and/or a summary judgment. The respondent Judge rendered a judgment on October 3, 1975, dismissing the complaint with costs against the plaintiffs. The petitioners subsequently filed a motion for reconsideration, which was denied on December 12, 1975.

Significant events in the case included:

- December 22, 1975: Petitioners filed a motion to appeal as paupers.
- December 23, 1975: Filed a notice of appeal.
- January 19, 1976: The trial court granted the motion to appeal as paupers.

Believing that they were not required to submit a record on appeal as pauper litigants, the petitioners waited for the trial court to forward the records to the appellate court. However, on June 16, 1976, the respondent Judge dismissed the appeal for failure to file a record on appeal. The petitioners filed another motion for reconsideration, sending the record on appeal to the court on August 10, 1976. The trial court denied their motion for reconsideration on August 23, 1976. Subsequently, the petitioners sought certiorari, questioning whether pauper litigants need to submit a record on appeal to perfect an appeal.

**\*\*Issues:\*\***

1. Whether pauper litigants are required to file a record on appeal to perfect an appeal under the Rules of Court then in force.
2. How the procedural changes brought by Batas Pambansa Blg. 129 affect the requirements for pauper appeals.
3. Whether procedural laws can be applied retroactively to ongoing cases.

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

The Supreme Court found that under the Rules of Court at the time, pauper litigants were

still required to submit a record on appeal, albeit it did not need to be printed. The provisions in Section 16, Rule 41, of the Rules of Court indicated that in the case of an appeal by a pauper, the entire record, including the record on appeal, must be transmitted to the appellate court. This requirement aimed to aid pauper litigants in prosecuting their appeals without incurring significant expenses.

However, the Court recognized that Batas Pambansa Blg. 129, which came into effect during the pendency of this case, removed the need for a record on appeal to perfect an appeal. The Supreme Court cited its decision in *Alday vs. Camilon*, affirming that procedural laws are retrospective in nature and may be applied to pending cases. Applying this new procedural rule retroactively benefited the petitioners, who consequently did not need to file a record on appeal for their case.

**\*\*Doctrine:\*\***

The Supreme Court emphasized two major points:

1. Under the former procedural rules, pauper litigants were required to submit a record on appeal, although not in printed form.
2. Procedural laws, being retroactive, apply to cases pending and undetermined at the time of their enactment. This principle is articulated in decisions such as *Alday vs. Camilon* and further reinforced in cases like *Palomo Building Tenants Association, Inc. vs. Intermediate Appellate Court*.

**\*\*Class Notes:\*\***

- **\*\*Key Concepts:\*\***

- **\*\*Accion publiciana\*\***: A legal action to recover possession of real property.
- **\*\*Record on appeal\*\***: A document consolidating the necessary records for an appellate court's review.
- **\*\*Batas Pambansa Blg. 129\*\***: Legislation that reorganized the judiciary and simplified procedural rules, including eliminating the need for a record on appeal.
- **\*\*Relevant Statutes:\*\***
- **\*\*Sec. 16, Rule 41 of the Rules of Court\*\***: Detailed the requirements for pauper appeals.
- **\*\*B.P. Blg. 129\*\***: Altered procedural requirements, notably abolishing the record on appeal for all litigants.
- **\*\*Application\*\***:
- Provisions regulating appellate proceedings are applied retrospectively to benefit litigants.

**\*\*Historical Background:\*\***

This case reflects a period of significant procedural reform in the Philippine judiciary, marked by the promulgation of Batas Pambansa Blg. 129 which aimed at making the legal process more accessible and efficient, particularly by eliminating procedural bottlenecks such as the requirement for a record on appeal. These changes were part of broader judicial reforms intended to improve the efficiency and accessibility of the judiciary amidst an increasing caseload.

**\*\*Conclusion:\*\***

The Supreme Court's ruling in *Acosta vs. Plan* reaffirms the principle that procedural laws can be applied retroactively, especially when such application fulfills the legislative intent of alleviating procedural burdens and enhancing judicial efficiency. This case serves as a landmark in understanding the transition from old procedural requirements to new ones under B.P. Blg. 129.