

Title: ****Saguid v. Court of Appeals, G.R. No. 141249****

****Facts:****

Gina S. Rey, then 17 years old and married but separated de facto from her husband, met petitioner Jacinto Saguid in July 1987. The two began cohabiting as husband and wife in Jacinto's father's house in Marinduque. Jacinto earned a living from their fishing vessel, while Gina worked as a fish dealer and later as an entertainer in Japan from 1992 to 1994. Their relationship soured due to conflicts with Jacinto's relatives, leading to their separation in 1996 after a 9-year cohabitation.

On January 9, 1997, Gina filed a complaint for Partition and Recovery of Personal Property with Receivership against Jacinto in the Regional Trial Court of Boac, Marinduque. She claimed that she contributed P70,000 toward the construction of their house and owned appliances totaling P111,375 from her earnings.

Jacinto rebutted, claiming the house was built solely from his income and that Gina contributed nothing to its construction. He also asserted that they both contributed to their joint bank account but did not specify the exact amounts.

The trial court defaulted Jacinto for failure to file a pre-trial brief. Gina was allowed to present evidence ex parte, leading to a judgment favoring her, ordering Jacinto to reimburse P70,000 for the house, declare Gina the owner of the personal properties, and pay P50,000 in moral damages.

Jacinto appealed, arguing procedural errors and insufficient evidence. The Court of Appeals affirmed the trial court's decision but deleted the moral damages. Jacinto then elevated the case to the Supreme Court.

****Issues:****

1. Did the trial court err in allowing respondent Gina Rey to present evidence ex parte?
2. Was the trial court's judgment supported by sufficient evidence?
3. Should the application of the 1997 Rules of Civil Procedure be retroactive in the present case?

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

1. ****Ex Parte Presentation of Evidence****:

The Supreme Court held that procedural requirements, including filing a pre-trial brief, are critical. Despite Jacinto's claim of not being represented by counsel, the Court found his

failure to file the pre-trial brief inexcusable as he had competently filed other legal documents unaided. The 1997 Rules of Civil Procedure, effective July 1, 1997, required a pre-trial brief and allowed ex parte evidence presentation if not filed. The Court upheld the procedural ruling but emphasized that the trial court correctly required substantive evidence from Gina despite Jacinto's default.

2. **Sufficiency of Evidence**:

Under Article 148 of the Family Code, properties acquired in an adulterous relationship require proof of actual contribution. Gina claimed contributing P70,000 but only presented receipts totaling P11,413. Her contribution toward the house was thus limited to this amount. Regarding personal properties, both parties contributed to a joint bank account but without clear evidence of exact amounts, they were assumed equal partners, thus each entitled to half the value of the properties at P55,687.50. The award of P50,000 moral damages lacked evidence and was rightly deleted by the appellate court.

3. **Retroactive Application of Rules**:

While the 1997 Rules of Civil Procedure could be applied retroactively, this particular case did not require such retroactive application as pre-trial briefs were mandated by Supreme Court Circular No. 1-89 from February 1, 1989.

Doctrine:

1. **Regime of Limited Co-ownership** under Article 148 of the Family Code applies to adulterous relationships, requiring proof of actual contributions for the co-ownership of properties.
2. **Equal Presumption of Contributions**: In the absence of proof, contributions are presumed equal.
3. **Procedural Compliance**: Compliance with procedural rules, especially regarding filing pre-trial briefs, is paramount. Default provisions are valid but relief claims must still be substantiated by evidence.

Class Notes:

- **Article 148, Family Code**: Governs properties acquired in adulterous or bigamous unions.
- **Proof of Contribution**: Adulterous relationships require proof of both parties' contributions to claim co-ownership.
- **Procedural Rules**: Pre-trial rules and requirements, non-compliance leads to default but does not negate necessity of evidence.

- **Evidence Burden:** Party asserting an affirmative issue must substantiate; mere allegations do not suffice.

Historical Background:

The case illustrates the Philippines' strict property laws in non-marital cohabitations, emphasizing the need for evidence of contributions to shared assets. It underscores the evolution of procedural rules aiming at judicial efficiency while upholding substantive justice in property disputes. The decision reflects continuity and adherence to established doctrines ensuring fair adjudication in complex relationship dynamics where legal marital status influences property rights.