G.R. No. 92326. January 24, 1992 (Case Brief / Digest)

Title: Republic of the Philippines vs. Court of Appeals and Zenaida C. Bobiles

Facts:
1. Zenaida Corteza Bobiles filed a petition to adopt Jason Condat on February 2, 1988, in the Regional Trial Court of Legaspi City (Special Proceeding No. 1386). Jason Condat, then six years old, had been living with Bobiles' family since he was four months old.
2. The petition was found sufficient in form and substance, and a hearing was set for March 28, 1988. The corresponding notice was published and served to all pertinent parties, including Jason's father, Salvador Condat.
3. No opposition to the petition was filed. The court received testimonies from Zenaida Bobiles, her husband Dioscoro Bobiles, and Ma. Luz Salameno from the Department of Social Welfare and Development.
4. On March 20, 1988, the court issued a judgment granting the adoption petition, changing Jason Condat's surname to Bobiles, and cutting all legal ties with his natural parents.
5. The Office of the Solicitor General appealed the decision to the Court of Appeals, arguing that the Family Code, effective August 3, 1988, which required joint adoption by both spouses, should apply retroactively to the case.
6. The Court of Appeals affirmed the trial court's decision on February 20, 1990. The Republic of the Philippines then sought a review on certiorari to the Supreme Court.

Issues:
1. Whether the Family Code should be applied retroactively to the petition for adoption filed by Zenaida Bobiles.
2. Whether the trial court's decision to grant the adoption to Zenaida C. Bobiles and her husband Dioscoro Bobiles was correct despite the latter not being a formal petitioner.

Court's Decision:
– **Application of the Family Code Retroactively:**
The Court ruled that the Family Code could not be applied retroactively in this case. The Court clarified that the right to file the adoption petition was vested when Zenaida Bobiles filed it under the Child and Youth Welfare Code, which allowed either spouse to file individually. Retroactive application of the Family Code would impair vested rights acquired under former laws.
– **Joint Adoption Requirement:**
Despite Dioscoro Bobiles not being named as a petitioner, his Affidavit of Consent and his corresponding in-court testimony suggested that he actively participated in the adoption process. The Court emphasized that adoption statutes should be construed liberally to

promote the child's welfare, and strict adherence to procedural formalities should not undermine substantial justice.

Doctrine:
1. **Non-Retroactivity of Procedural Requirements Impairing Vested Rights:**
– Laws that are remedial or procedural in nature can be applied retroactively unless they impair vested rights. Jurisdiction, determined at the time of the action's commencement, is substantive and cannot be ousted by subsequent changes.
2. **Liberal Interpretation of Adoption Statutes:**
– Adoption statutes should be construed to carry out their beneficial purposes. Substantial compliance with procedural requirements is sufficient when the child's welfare is the paramount consideration.

Class Notes:
– **Vested Rights:**
Defined as rights that do not depend on future contingencies and should not be retroactively impaired. (Ref: Article 246, Family Code).
– **Jurisdiction:**
Determined by the statute in effect at the commencement of the action. (Ref: Ayog vs. Cusi, G.R. No. L-48972)
– **Procedural vs. Substantive Law:**
Procedural laws can be applied to ongoing cases, substantive laws protect vested rights from retroactive impairment. (Ref: People vs. Paderna, 22 SCRA 271).
– **Adoption Statutes:**
Should be liberally interpreted to focus on the child's best interests, allowing substantial compliance to suffice. (Ref: 2 Am Jur 2d Adoption 865)

Historical Background:
The case occurred during a period of transition in Philippine family law from the Child and Youth Welfare Code to the Family Code of 1987. The Family Code introduced more stringent procedural requirements for adoptions, including the necessity for joint petitions by married couples. This case underscored the legal tension between new procedural requirements and those rights and actions established under the previous legal framework. The decision highlights the judiciary's balancing act in preserving legal consistency while upholding the overarching principles of social justice and child welfare.