

****Title:**** In re: Petition for Reinstatement in the Roll of Attorneys and for Re-admission to Practice of Law (Oscar R. Quilala, Petitioner)

****Facts:****

Oscar R. Quilala was admitted to practice law in the Philippines in 1971 after passing the Bar Examinations in 1970. However, his admission was subject to the condition that he provide proof of cancellation of his alien certificate of registration with the Bureau of Immigration. Despite fulfilling this condition initially, his name was struck from the Roll of Attorneys in 1973 when the Department of Justice disallowed the cancellation of his alien certificate on the grounds of insufficient evidence proving his mother's Filipino citizenship.

Quilala was born in Manila, Philippines, on May 27, 1947, to Pelagio P. Quilala, an American citizen, and Julia Ramos, a Filipino. His father, originally a native Filipino who acquired U.S. citizenship through naturalization, met Julia Ramos during World War II. Quilala took his oath of allegiance to the Republic of the Philippines after turning 23, which was necessary for his election of Philippine citizenship.

Despite completing these procedural requirements, the Undersecretary of Justice ruled against the initial order granting Quilala's cancellation of alien registration due to inadequate proof. Consequently, the Supreme Court ordered the removal of Quilala's name from the Roll of Attorneys in 1976 following a query from the American Consul regarding his citizenship status.

After residing briefly in the United States, Quilala returned to the Philippines, motivated by his deep connections and Filipino identity. With the necessary documentary evidence now available, he re-filed for reconsideration, which the Undersecretary of Justice eventually granted in 1977, affirming his election of Philippine citizenship.

****Issues:****

1. Whether Oscar R. Quilala rightfully elected and was a Filipino citizen.
2. Whether there were legal grounds to reinstate him in the Roll of Attorneys and allow re-admission to the practice of law in the Philippines.

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

1. ****Election of Filipino Citizenship:****

- The Supreme Court reaffirmed that Oscar R. Quilala, having been born to a Filipino mother and an American father, had the right to elect Philippine citizenship upon reaching the age of majority. Quilala fulfilled this requirement in May 1970, taking an oath of allegiance and duly registering it. With additional evidence submitted, the Undersecretary of Justice acknowledged the lawful election of his Philippine citizenship, thus, no longer holding any legal obstacle against his Filipino citizenship.

2. ****Reinstatement and Re-admission to the Practice of Law:****

- Given that Quilala's citizenship was validated with no legal barriers, the Supreme Court held the view that his reinstatement in the Roll of Attorneys and his re-admission to the practice of law were in order. The petition was thus granted.

****Doctrine:****

The case establishes that once an individual fulfills all legal requirements for the election of Philippine citizenship, which includes taking an oath of allegiance and proper registration, their status as a Filipino citizen cannot be subsequently challenged without substantial legal and factual basis. Furthermore, it reiterates the commitment of the judiciary to uphold the complexities of citizenship laws and the rights conferred upon such status.

****Class Notes:****

1. ****Citizenship Election:****

- Critical Provisions: Article IV, Section 1(4) of the 1935 Philippine Constitution; Article III, Section 1(3) of the 1973 Constitution; Commonwealth Act No. 625 (1941).
- Electoral Right: Individuals born to Filipino parents abroad may elect citizenship upon reaching the age of majority, provided procedural due process is met (including an oath of allegiance and registration).

2. ****Proof of Citizenship:****

- Essential Documentation: Birth certificates, naturalization records, affidavits of election, and relevant certificates (such as the alien certificate of registration cancellation).

3. **Judicial Procedures:**

- Legal Challenges: How and why judicial challenges to proper documentation may arise and the recourse available to rectify such denials.
- Impact on Legal Practice: Establishes the continued oversight role of the Supreme Court in verifying qualifications of legal practitioners as tied to citizenship status.

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Historical Background:

During the mid-20th century, the Philippines saw extensive regulations surrounding citizenship, especially post-independence and following World War II. With numerous Filipinos gaining dual citizenship through marriage and migration, cases like Oscar R. Quilala's highlight the transitional complexities of nationality law. This era underscored the interaction between Filipino and American legal frameworks, showcasing citizenship's role in personal and professional identity reclamation in post-colonial contexts.