

Title: Elisea Laperal vs. Republic of the Philippines

Facts:

1. On May 10, 1960, Elisea Laperal filed a petition with the Court of First Instance of Baguio to resume using her maiden name "Elisea Laperal" following a legal separation from Enrique R. Santamaria.
2. Elisea and Enrique were married on March 24, 1939, and were legally separated by a decree on January 18, 1958.
3. The basis of Elisea's petition was the legal separation and the fact that she and Enrique had ceased living together for an extended period.
4. The City Attorney of Baguio opposed the petition, referencing Article 372 of the Civil Code, which requires a legally separated wife to continue using her married name.
5. The Court initially denied Elisea's petition, citing the mandatory nature of Article 372.
6. Elisea filed a motion for reconsideration, arguing for a change of her name to avoid confusion in her business dealings.
7. On reconsideration, the Court treated the petition as one for a change of name, granted it, and noted potential financial confusion as justification.
8. The Republic appealed the Court's decision, arguing that the ruling contradicted Article 372 of the New Civil Code.

Issues:

1. Whether Article 372 of the Civil Code prohibits a legally separated wife from changing her name back to her maiden name.
2. Whether Rule 103 of the Rules of Court, allowing for a change of name, can supersede the provisions of Article 372 concerning legally separated women.
3. Whether financial or business confusion arising from the use of a married name is a valid ground for granting a change of name under Rule 103.

Court's Decision:

1. The Supreme Court ruled that Article 372 of the Civil Code mandates that a legally separated wife must continue using the name employed before legal separation, emphasizing the statute's mandatory language.
2. The Court found that Rule 103 of the Rules of Court does not override the specific provisions of Article 372, as the latter is specifically directed at the status of separated women.
3. The Court rejected the claim of business confusion as a basis for name change, noting it was not substantiated with evidence and irrelevant given the automatic dissolution and

liquidation of the conjugal partnership upon legal separation as per Article 106 of the Civil Code.

4. Consequently, the Supreme Court set aside the lower court's order granting the petition for name change and dismissed the petition.

Doctrine:

The case reiterates the doctrine set forth in Article 372 of the Civil Code, emphasizing the mandatory nature of using the marital surname post-legal separation. It also clarifies that Rule 103 cannot be used to circumvent specific civil code provisions addressing particular marital status issues.

Class Notes:

- **Article 372 of the Civil Code**: Legally mandates the continued use of a married name post-legal separation.
- **Rule 103 of the Rules of Court**: General procedure for change of name, not applicable when specific statutes conflict.
- **Article 106 of the Civil Code**: Defines automatic dissolution of conjugal partnerships upon legal separation.
- The case illustrates the conflict between specific statutory language and general procedural rules, emphasizing statutory provisions' supremacy when dealing with particular circumstances.

Historical Background:

Contextually, the case arose during a period of evolving familial legal structures in the Philippines as the New Civil Code was implemented in 1950 to regulate personal status and family relations. The transition from old Spanish-influenced legal provisions to the New Civil Code provided clarity but also led to rigid interpretations in cases involving the status and rights of spouses post-separation, as demonstrated in the court's adherence to mandatory statutory provisions despite practical considerations of individual circumstances.