

**\*\*Title: Republic of the Philippines vs. Claude A. Miller and Jumrus S. Miller\*\***

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

1. On July 29, 1988, spouses Claude A. Miller and Jumrus S. Miller filed a verified petition with the Regional Trial Court (RTC), Branch 59, Angeles City, to adopt the minor Michael Magno Madayag.
2. The Millers were both American citizens. Claude A. Miller was a member of the United States Air Force, and the couple resided in Angeles City since 1985. They were childless due to Mrs. Miller's medical condition.
3. Michael Magno Madayag, born on July 14, 1987, in San Fernando, La Union, was the legitimate son of Marcelo S. Madayag, Jr. and Zenaida Magno. Due to financial difficulties, Michael's biological parents consented to the adoption.
4. The Department of Social Welfare and Development (DSWD) recommended approval of the adoption based on the evaluation of the Miller spouses' fitness to be adoptive parents.
5. On May 12, 1989, the RTC granted the petition, declaring the minor as the child of the Millers by adoption and changing the minor's surname to "Miller."
6. The Solicitor General, on behalf of the Republic of the Philippines, appealed the RTC decision to the Court of Appeals, raising the issue that the Family Code, effective August 3, 1988, prohibited aliens from adopting Filipino children.
7. The Court of Appeals certified the case to the Supreme Court, as it raised solely questions of law.

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

1. Whether the court may allow aliens to adopt a Filipino child despite the prohibition under the Family Code.
2. Whether the Family Code, effective August 3, 1988, can impair the right of aliens who filed a petition for adoption before its effectivity.

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

**\*\*Issue 1: Allowing Aliens to Adopt\*\***

- The Supreme Court held that since the petition for adoption was filed on July 29, 1988, prior to the effectivity of the Family Code on August 3, 1988, the laws in effect at the time of

the filing govern the case.

- The Child and Youth Welfare Code, in force at that time, allowed aliens to adopt Filipino children.
- Consequently, the prohibition under the new Family Code does not apply retroactively to impair this right.

**\*\*Issue 2: Vested Rights and Jurisdiction\*\***

- The Court stipulated that a vested right is one whose existence, effectivity, and extent do not depend upon events foreign to the will of the holder.
- The right of the Millers to adopt became vested upon filing their petition under the Child and Youth Welfare Code.
- Jurisdiction, once attached, cannot be ousted by subsequent laws unless explicitly stated. The adoption statutes, being geared towards the best interest of the child, required fulfillment of their objectives.
- Therefore, the RTC's jurisdiction was retained, and the Millers were entitled to complete the adoption under the law prevailing at the time of filing.

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

- The Court confirmed that the jurisdiction of a court in matters of adoption is determined by the statute in force at the time of the commencement of the action.
- Vested rights in adoption cannot be impaired by subsequent laws that may impose new qualifications or disqualifications not applicable at the time of filing.

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

1. **\*\*Key Concepts:\*\***

- **\*\*Adoption Law:\*\***

\* Child and Youth Welfare Code (PD 603): Allows aliens to adopt Filipino children before the effectivity of the Family Code.

\* Family Code (Executive Order No. 209, effective August 3, 1988): Prohibits alien adoption of Filipino children.

- **\*\*Vested Rights:\*\***

\* A vested right is a present fixed interest which should be protected against arbitrary state action.

\* Jurisdiction of the court is determined at the time of filing and cannot be ousted by

subsequent laws unless explicitly stated.

- **Best Interest of the Child Principle:**

\* Adoption statutes prioritize the best interests and welfare of adopted children.

- **Jurisdiction of Courts:**

\* Once jurisdiction is acquired, it is retained despite subsequent changes in the law that would have otherwise affected it.

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**Historical Background:**

- This case demonstrates the transition in Philippine adoption laws from the Child and Youth Welfare Code to the Family Code and the judicial approach on handling vested rights amid legislative changes.

- By examining this case, we understand the interplay between evolving family laws and the protection of vested rights to provide stability and predictability in judicial proceedings.