

Title: Shirley Yap et al. v. Court of Appeals et al., G.R. No. L-34909

Facts: Maning Yap married Talina Bianong according to Muslim rites in 1939 and they had four children, two of whom survived: Shirley and Jaime Yap. While still married to Talina, Maning Yap married Nancy Yap in a civil ceremony on December 11, 1948, believing him to be unmarried. Nancy and Maning had four children: Maning Jr., Julia, Jasmin, and Samuel Yap. Maning Yap died in an airplane crash on February 21, 1964.

Post his death, Talina Bianong filed for letters of administration for Maning Yap's estate. The estate included properties worth approximately P100,000. Nancy Yap opposed, claiming she was the legitimate widow and her children were legitimate heirs. Talina Bianong was appointed special administratrix and Shirley Yap regular administratrix. The Court of First Instance of Lanao del Sur declared Talina, Shirley, and Jaime as legal heirs, excluding Nancy and her children as illegitimate under the New Civil Code provisions.

Nancy Yap appealed, and the Court of Appeals reversed, dividing the estate equally between Talina with her children and Nancy with her children, following the precedent in *Lao v. Dee Tim* involving similar facts.

Issues:

1. How should the estate of Maning Yap be legally distributed under the New Civil Code?
2. Whether Nancy Yap and her children can be considered legitimate heirs of Maning Yap despite the void second marriage due to the existing first marriage.

Court's Decision: The Supreme Court reversed the Court of Appeals' decision. The New Civil Code applied, as Maning Yap died in 1964 after its effectivity. Under Article 2263, the estate distribution should adhere to the New Civil Code and not the *Leyes de Partidas*.

1. The marriage to Talina was valid; the marriage to Nancy was void under act 3613. Therefore, Talina's marriage subsisted and her conjugal share as the surviving legal spouse must be considered.
2. Nancy Yap cannot inherit as the marriage was void. However, their children with Maning were considered natural children by legal fiction, making them compulsory heirs under Articles 89 and 887.

The estate, equating to one-half of the conjugal partnership of gains from Maning Yap's marriage with Talina, was distributed:

- To Shirley and Jaime Yap (legitimate children): 50% of the net estate equally,

- To Talina Bianong (legitimate wife): 25% from the free portion,
- To Nancy's children: 25% equally as children by legal fiction.

Doctrine: The case affirms that under the New Civil Code, the rights of inheritance are governed by the law effective at the time of the decedent's death. Legitimate children take precedence in inheritance and void marriages do not confer any legal spousal inheritance rights. Offspring of void marriages may be natural children with inheritance rights.

Class Notes:

- Elements of Inheritance: Legal heirs include legitimate children and the surviving legitimate spouse. Void marriages do not allow spousal inheritance, but children born out of such marriages may be natural heirs.
- Article 2263 NCC governs the inheritance rights depending on the decedent's date of death.
- Article 142 and 185 NCC define conjugal partnership of gains.
- Article 895, 897, 983, and 999 NCC outline the succession and shares.

Historical Background: The case arises at a time when the Philippines was transitioning from the old Spanish Civil Code to the new Civil Code promulgated in 1950. The case delineates how succession laws post-1950 should consider family and property law intricacies when assessing the rights deriving from multiple or void marriages.