

Title:

Salud Teodoro Vda. De Perez vs. Hon. Zotico A. Tolete, RTC, Branch 18, Bulacan -
Reprobate of Foreign Wills

Facts:

Dr. Jose F. Cunanan and Dr. Evelyn Perez-Cunanan, U.S. citizens of Filipino descent, executed separate wills in 1979, each bequeathing their estate to the other or, if the other predeceased them, to their children with Dr. Rafael G. Cunanan, Jr. as trustee. The Cunanans perished in a fire on January 9, 1982. Their wills were admitted to probate in New York, with Dr. Rafael G. Cunanan, Jr. appointed executor.

Salud Teodoro Perez, mother of Evelyn, filed for the reprobate of their wills, including their Philippine properties, at the RTC in Bulacan on February 21, 1983, and was appointed special administratrix. She moved for various distributions of assets, some of which were opposed by the Cunanan heirs, who contended they had not been notified of the proceedings and consequently sought nullification of Perez's appointment.

The RTC initially disallowed the wills, citing failures in submitting New York law evidence. Subsequent motions and appeals followed, addressing issues of dual probate, evidence sufficiency, and jurisdictional notification.

Issues:

1. Did the petitioner prove the laws of New York on the allowance of wills?
2. Can the separate wills of the Cunanan spouses be probated jointly in one proceeding?

Court's Decision:

The Supreme Court held that:

Issue 1:

The evidence submitted, despite being substantial, lacked explicit proof of the New York laws regarding the allowance of wills. However, petitioner was seeking to cure this by adducing additional evidence, which was a permissible request ignored by the lower court.

Issue 2:

The argument for a single reprobate proceeding for both wills was favored. The Supreme Court found the literal interpretation against joint probate as too rigid. Given that the wills contained essentially the same provisions and considering the joint nature of the deceased's estates, joint probate was justified to ensure efficient and inexpensive proceedings.

Doctrine:

The probate of foreign wills in the Philippines requires strict adherence to procedural requirements, including the presentation of foreign law as evidence. Courts are urged to exercise flexibility and seek to settle related probate matters in a single proceeding when practical, aligning with the objective of procedural rules to facilitate “just, speedy, and inexpensive” resolution of cases.

Class Notes:

- **Reprobate**: The process by which foreign wills are recognized and enforced in Philippine jurisdictions.
- **Article 816, Civil Code**: Formalities needed for foreign wills to take effect in the Philippines.
- **Rule 77, Rules of Court**: Governs the allowance of wills outside the Philippines, requiring proof of execution under foreign laws, domicile, foreign probate, judicial function of the foreign court, and foreign procedural laws.
- **Sections 2-5, Rule 76**: Notification and publication requirements akin to original probate for reprobate proceedings.
- **Estoppel**: Parties agreeing to share estate equally may not later deny heirs thereof.
- **Joint Probate**: Facilitated for concurrent, similar will provisions to simplify administration.

Historical Background:

This case navigates the intricacies of international testamentary succession, spotlighting the Philippines’ process in accommodating the wills of Filipino nationals or descendants executed abroad. It illustrates the tension between procedural rigidity and judicial discretion in accommodating practical case management to meet equitable estate distribution and effective judicial administration. The case underscores the judicial approach towards liberalizing procedural formalities to achieve substantive justice in transnational legal contexts.