

Title:

Emilio Tuason vs. Court of Appeals and Maria Victoria L. Tuason

Facts:

1. **Marriage and Deterioration:**

- Emilio R. Tuason (petitioner) and Maria Victoria Lopez Tuason (respondent) were married on June 3, 1972, and had two children.
- Underlying issues led to violent altercations, with serious physical injury inflicted upon the respondent by the petitioner.

2. **Contributing Factors:**

- Petitioner's drug use resulted in legal consequences and a suspended penalty.
- Petitioner exhibited womanizing behavior, leaving home in 1984 to cohabit with other women.
- Minimal family support from the petitioner led the respondent to seek assistance from her family and friends.
- Petitioner incurred significant debts and mismanaged conjugal properties without the respondent's consent.

3. **Annulment Petition:**

- In 1989, respondent filed for annulment or nullity of marriage citing psychological incapacity of the petitioner as stipulated under Sec. 36 of the Family Code.
- Respondent also requested the right to administer conjugal properties to prevent further dissipation.

4. **Petitioner's Defense:**

- Petitioner denied allegations and claimed mutual affability for the first ten years of marriage.
- Blamed the respondent's lack of respect and involvement with another man for marital issues.
- Used work circumstances to explain financial troubles and allegations of womanizing.
- Petitioned to return home and maintain administration of conjugal assets.

5. **Trial Proceedings:**

- Trial began on March 30, 1990, with the respondent presenting witnesses and evidence, such as media reports and previous church annulment decrees.
- Petitioner filed motions and oppositions, especially concerning the administration of

conjugal properties.

- Despite receiving postponements, petitioner failed to appear on rescheduled hearings.
- Trial court declared petitioner had waived his right to present evidence, proceeding to decision based on respondent's evidence.

6. **Trial Court Judgment:**

- On June 29, 1990, the Regional Trial Court annulled the marriage due to psychological incapacity of the petitioner.
- Custody of the children was awarded to the respondent.
- Specific proceedings were ordered for the dissolution of the conjugal partnership and adjudication of properties.

7. **Post-Judgment Motions:**

- Petitioner, through new counsel, filed a petition for relief from judgment due to alleged excusable negligence and non-involvement in hearings.
- The trial court denied the petition on August 8, 1991, leading to an appeal to the Court of Appeals.

8. **Court of Appeals' Decision:**

- On July 29, 1994, the Court of Appeals affirmed the trial court's denial of the petition for relief from judgment.
- Petitioner then sought review via certiorari in the Supreme Court.

Issues:

1. **Denial of Due Process Claim:**

- Whether the trial court's decision was invalid due to petitioner's alleged lack of opportunity to present evidence.

2. **Necessity of Prosecutorial Intervention:**

- Whether the non-involvement of a prosecuting attorney in the annulment proceedings invalidated the judgment.

3. **Meritorious Defense Claim:**

- Whether the petitioner had a valid defense to counter the annulment claims made by the respondent.

Court's Decision:

1. **Due Process:**

- Supreme Court ruled that the petitioner was not deprived of due process.
- The court noted he had actively participated in the trial, but his counsel's negligence in not informing the court of his confinement and the failure to appeal led to the judgment becoming final and executory.

2. **Prosecutorial Intervention:**

- Articles 48 and 60 of the Family Code regarding the necessity of prosecutorial intervention were reviewed.
- The Court concluded that such intervention was not required under facts showing the petitioner's active and contested participation.

3. **Meritorious Defense:**

- The Court found the petitioner's arguments insufficient to overturn the trial court's findings regarding psychological incapacity.
- Considered the trial court's factual determinations as decisive and final.

Doctrines:

The Supreme Court upheld:

- **Finality of Judgment:** Judgments become final and executory if no appeal is made within the prescribed period. Negligence by counsel is generally not grounds for relief if it results in the loss of the right to appeal.
- **Due Process:** Participation in court proceedings and failure to notify the court of valid reasons for non-appearance negates claims of denial of due process.
- **Articles 48 and 60 of the Family Code:** Prosecutorial intervention is mandatory only when there is apparent risk of collusion, not merely non-appearance if the defendant has previously actively contested the case.

Class Notes:

- **Elements of Psychological Incapacity:**
 - Habitual violence or abuse.
 - Substance abuse and resulting incapacity.
 - Abandonment and lack of support for the family.
 - Mismanagement and unilateral dissipation of conjugal properties.
- **Family Code Provisions:**
 - Article 48: Prosecuting attorney's role in annulment and nullity cases.
 - Article 60: Non-default declaration in annulment and legal separation cases.

Historical Background:

In the period leading to this case, there were significant shifts in Philippine family law, particularly with the enactment of the Family Code of 1987. This code introduced the concept of psychological incapacity as a ground for nullity of marriage under Article 36, illustrating growing judicial recognition of non-physical grounds in marriage annulments. The necessity of prosecutorial oversight in family law cases highlighted the state's vested interest in maintaining family integrity and preventing collusion in marital disputes, reflecting a stance on strengthening family as a social institution.