

****Title:**** Isabelita S. Lahom vs. Jose Melvin Sibulo (formerly “Dr. Melvin S. Lahom”)

****Facts:****

In 1971, spouses Dr. Diosdado Lahom and Isabelita Lahom decided to legally adopt Isabelita’s nephew, Jose Melvin Sibulo, who was under their care since he was two years old. The adoption was finalized on May 5, 1972, leading to a name change for Sibulo to “Jose Melvin Lahom” by the Civil Registrar of Naga City. Later, a familial discord arose due to Jose Melvin’s refusal to use the Lahom surname, continuing instead with his original surname Sibulo in all his professional dealings.

In December 1999, Isabelita Lahom filed a petition to rescind the adoption decree before the RTC of Naga City, claiming indifference from Jose Melvin as a son, maintaining his original surname, and a strained personal relationship as primary grounds. Another contributing reason was relating to Jose Melvin’s motives regarding inheritance and future property rights, further exacerbated by legal actions for partition that he filed against her.

The trial court dismissed the petition based on lack of cause due to the implementation of Republic Act No. 8552 (‘Domestic Adoption Act’) that had removed the adopter’s right to rescind an adoption. Isabelita Lahom contended this should not apply retroactively, arguing that her rights vested under previous laws (the Civil Code and the Family Code).

****Issues:****

1. Whether the decree of adoption from May 5, 1972, can be revoked or rescinded by the adopter post-effectivity of R.A. No. 8552.
2. Whether the adopter’s action to rescind the adoption has already prescribed under the law.

****Court’s Decision:****

1. ****Adoption Rescission Post-R.A. 8552:****

The Supreme Court ruled that due to Republic Act No. 8552 which came into effect before the filing of the petition, Mrs. Lahom no longer had the legal right to rescind the decree of adoption. R.A. No. 8552 exclusively provides the adopted child the right of rescission under certain conditions, thereby nullifying an adopter’s right to rescind the adoption decree as previously provided under the Civil Code and Family Code.

2. ****Prescription of Action:****

The Court further noted that even before the enactment of R.A. No. 8552, any action to set aside an adoption was constrained under a five-year prescriptive rule. The petitioner was found to have not exercised her annulment rights within this statutory period as the petition was filed much later in 1999, and thus, the action would have been barred by prescription even if the older rules applied.

****Doctrine:****

The Supreme Court established that R.A. No. 8552 changed the landscape of adoption by revoking the adopter's right to rescind an adoption. The law predicates adoption rescission solely on the grounds provided under the statute, which can only be initiated by the adoptee under specific conditions. The state holds precedence over personal rights in adoption matters for child welfare considerations, asserting vested rights of adopters do not extend to statutory privileges once legislation changes.

****Class Notes:****

- ****Adoption Laws:****

- Adoption constitutes a status heavily regulated by current legislative frameworks prioritizing child welfare.
- Adoption revocation can only be initiated under specific grounds by the adoptee, post R.A. No. 8552.

- ****Legal Principles:****

- Rights conferred by statutes are subject to legislative changes, especially non-inherent rights like adoption.
- Prescription laws equally limit actions for revocation; must be filed within legally established timeframes.

****Historical Background:****

Adoption practices evolved to protect not only family lineages but more so the welfare of adoptees over time. In the Philippines, adoption laws have transitioned from securing adopters' interests to upholding adoptees' welfare. Republic Act No. 8552 embraced this evolution, emphasizing the child's best interests. It aligns with international conventions on children's rights, reflecting advancements in legislative adjustments which prioritize social and moral responsibilities in adoption scenarios.