

Edgar San Luis v. Felicidad San Luis (543 Phil. 275)

Facts:

Felicisimo T. San Luis, former governor of Laguna, died on December 18, 1992. During his lifetime, he married three times:

1. **Virginia Sulit** on March 17, 1942; six children (Rodolfo, Mila, Edgar, Linda, Emilita, Manuel). Virginia predeceased him on August 11, 1963.
2. **Merry Lee Corwin** on May 1, 1968, with one son, Tobias. Merry Lee obtained a divorce in Hawaii on December 14, 1973.
3. **Felicidad San Luis** on June 20, 1974, with no children from this marriage.

Post his death, Felicidad filed for letters of administration for Felicisimo's estate, valuing approximately PHP 30,304,178, at the Regional Trial Court (RTC) of Makati City. Rodolfo and other children contested, seeking dismissal, claiming improper venue and questioning Felicidad's legitimacy as Felicisimo's legal spouse.

Procedural Posture:

- **February 4, 1994:** Rodolfo files a motion to dismiss for improper venue and lack of cause.
- **February 15, 1994:** Linda joins Rodolfo.
- **February 28, 1994:** RTC denies motions to dismiss.
- **March 5, 1994:** Felicidad submits evidence supporting proper venue and divorce.
- **October 24, 1994:** Motion for reconsideration was denied by the RTC.
- **November 25, 1994:** Judge Tensuan grants a motion for inhibition, and the case re-rafles to Judge Arcangel.

RTC Rulings (Sept. 12, 1995 & Jan. 31, 1996):

- Dismissed Felicidad's petition due to:
 - Improper venue (residence was in Laguna, not Makati).
 - Legal incapacity (marriage to Merry Lee rendered the remarriage invalid).

Court of Appeals (Feb. 4, 1998):

- Reversed RTC's decisions, reinstating earlier 1994 orders.
- Affirmed that Makati was the valid venue based on Felicisimo's residence and that pursuant to Article 26, Felicisimo's Filipino spouse could remarry post-valid divorce by his foreign spouse.

Supreme Court (July 2, 1998):

- Edgar and Rodolfo appeal to the Supreme Court for review.

Issues:

1. **Whether venue was proper for the filing of letters of administration.**
2. **Whether Felicidad possessed the legal capacity to file the petition for letters of administration.**

Court's Decision:

Issue 1: Venue

- The Supreme Court ruled that "residence" in the context of venue for the settlement of estates refers to actual residence and physical habitation, not domicile. Felicisimo maintained an actual residence in Alabang, Muntinlupa. Thus, the venue in Makati City was proper because, during the filing, Makati's RTC had jurisdiction over Muntinlupa.

Issue 2: Legal Capacity

- The Court held that Felicisimo's valid divorce in Hawaii and subsequent marriage to Felicidad fell under the doctrine of comity recognition, thus making Felicidad his legal spouse.

- The divorce dissolved their marriage according to US law; hence, under paragraph 2, Article 26 of the Family Code and precedent from *Van Dorn v. Romillo, Jr.*, Felicisimo had the right to remarry.

- Although there were insufficiencies in the evidence presented about the divorce's legality and the remarriage's compliance with US laws, Felicidad at least qualified as a co-owner under Article 144 of the Civil Code (or Article 148 of the Family Code). Hence, she had the legal standing to file for administration of the estate.

Doctrine:

- **Residence vs. Domicile:** "Residence," for venue purposes, refers to actual residence or physical habitation, not necessarily legal domicile.

- **Recognition of Foreign Divorce:** Divorce obtained abroad by an alien spouse capacitating the Filipino spouse to remarry, validated by paragraph 2, Article 26 of the Family Code, can be applicable under previous legal principles.

- **Co-Ownership in Invalid Marriages:** Property relations under void marriages or non-marriages are governed by co-ownership principles, acknowledging contributions by both

parties during cohabitation, as per Article 144 of the Civil Code and Article 148 of the Family Code.

**Class Notes:**

- ****Actual Residence:**** Essential for determining the appropriate venue in estate settlement cases.
- ****Paragraph 2, Article 26 (Family Code):**** Allows a Filipino spouse to remarry if divorced by an alien spouse, but valid divorce proof is crucial (evidenced by authenticated foreign documents).
- ****Co-Ownership Rule:**** Applies to void marriages, recognizing shared contributions to properties acquired during the union.

Key Statutory Provisions:

- ****Section 1, Rule 73 (Rules of Court):**** Fixes venue based on actual residence at the time of death.
- ****Paragraph 2, Article 26 (Family Code):**** Recognizes capacity to remarry post-divorce by a foreign spouse.
- ****Article 144 (Civil Code) & Article 148 (Family Code):**** Governs property relations under void or non-marital cohabitation.

**Historical Background:**

This case illustrates evolving jurisprudence in the Philippines concerning the recognition of foreign divorces involving mixed-nationality marriages. It reflects a gradual alignment of Filipino laws with international practices to address inconsistencies and avoid unjust dilemmas for Filipino spouses bound by marriages that are dissolved abroad.