

## FACE-OFF

How does one face a problem when the problem is one's face?

Amusing as it may sound, this best exemplifies the dilemma of a person who suddenly finds himself in the center of a paternity case.

Establishing a blood relationship between the purported parent and a child who claims to be his is an absolute necessity if the child were to participate in the inheritance as a compulsory heir. We know that the blood relationship may manifest itself in their faces. After all, properties are not the only inheritance we receive from our predecessors...we also inherit their physical attributes and facial features.

It used to be that these physical features were given considerable weight in determining parentage. In one case (G.R. 125901 dated March 8, 2001), the Supreme Court ruled that strong similarities in the "faces, eyes, eye brows, and head shapes" are competent and material evidence to establish parentage, although other circumstances were considered in that case that helped establish paternity. The ruling acknowledged that modern and scientific ways in establishing blood relations would one day become available in the future. Until then, the Supreme Court said that conventional methods would continue to resolve parentage issues.

That future foretold by the High Court soon came to pass and in 2004, it had the occasion to rule upon a paternity case where modern technology came into play. The case now serves to enlighten as to the present evidentiary value of physical appearance in today's contemporary setting.

The case involves Florencia, a single househelper of Camelo. After a year of working for Camelo, Florencia gave birth to a child. She then filed a case against Camelo to give support, arguing that the child was his. The lower court decided in favor of Florencia, giving primary consideration to the physical characteristics of the child.

However, the Supreme Court reversed this decision, ruling that *"In this age of genetic profiling and deoxyribonucleic acid (DNA) analysis, the extremely subjective test of physical resemblance or similarity of features will not suffice as evidence to prove paternity and filiation before the courts of law."* (G.R. No. 124814, October 21, 2004).

This means that no matter how uncanny the similarities are, physical appearance by itself no longer meets the "standard of proof" required in paternity suits.

Rightly so! After all, in this age of cosmetic and plastic surgery, who knows what a person can do with his face just to gain a foothold in the inheritance.