



Republic of the Philippines  
Supreme Court  
Baguio City

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated April 12, 2023 which reads as follows:*

**“G.R. No. 254357 (Catherine Aguilar Valenzuela v. Juvenal C. Valenzuela and Republic of the Philippines).** — This Petition for Review<sup>1</sup> assails the January 22, 2020 Decision<sup>2</sup> and the November 5, 2020 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CV No. 112395. The CA reversed and set aside the February 6, 2018 Decision<sup>4</sup> of the Regional Trial Court (RTC), Branch 109, Pasay City that voided the marriage between Catherine Aguilar Valenzuela (Catherine) and Juvenal Valenzuela (Juvenal) due to psychological incapacity.

**The Facts**

Catherine met Juvenal sometime in January 1999 at their common place of work in Taguig City. Catherine was the bar manager while Juvenal was a bartender. They were often together while on duty. Hence, their feelings for each other developed from being workmates to becoming a couple after six months of courtship.<sup>5</sup>

Catherine and Juvenal married in civil rights on May 28, 2001.

Sometime in 2004, Catherine discovered that Juvenal was having an affair with a workmate. When Catherine confronted Juvenal about it, Juvenal evaded the issue. Juvenal refrained from talking to Catherine and worse, became hooked on vices. After work, Juvenal spent his time drinking liquor or gambling with friends. He also became ill-tempered and insensitive to

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<sup>1</sup> Rollo, pp. 10-26.

<sup>2</sup> Id. at 32-43. Penned by Associate Justice Ramon R. Garcia and concurred in by Associate Justices Pedro B. Corales and Geraldine C. Fiel-Macaraig.

<sup>3</sup> Id. at 45-46.

<sup>4</sup> Id. at 47-58. Penned by Presiding Judge Tingaraan U. Guiling.

<sup>5</sup> Records, pp. 3-14.

Catherine. He criticized Catherine's job, appearance, and manner of dressing, and even hurled derogatory remarks about Catherine's parents and friends.<sup>6</sup>

In 2005, following a heated argument with Juvenal, Catherine decided to end their relationship. Catherine's mother told Juvenal that she would take Catherine with her to put a stop on their fights. Juvenal assented. Hence, Catherine and Juvenal parted ways. Later, Catherine learned that Juvenal was in a relationship with someone else.<sup>7</sup>

Sometime in the early part of 2010, Catherine received a document<sup>8</sup> denominated as Final Decree of Divorce instituted before the Circuit Court for the City of Alexandria, Virginia, United States of America by Juvenal against Catherine.

On October 18, 2016, Catherine filed a Petition for Declaration of Nullity of Marriage<sup>9</sup> under Article 36 of the Family Code on the ground that she and Juvenal are both psychologically incapacitated to comply with their marital obligations.<sup>10</sup>

She presented the Psychological Evaluation Report<sup>11</sup> of Regina Velasco Beltran (Beltran), a Clinical Psychologist who conducted an evaluation on both Catherine and Juvenal. In that report, declaration of nullity was recommended on the ground of psychological incapacity of both Catherine and Juvenal.

Catherine was found to be suffering from Dependent Personality Disorder with Passive Aggressive Trends which incapacitates her to comply with the essential marital obligations. Such psychological incapacity is characterized by her lack of self-confidence. She also manifested a pervasive pattern of passive and submissive behavior to gain acceptance. She alternated between hostile defiance and contrition. She tolerated her husband's demanding and manipulative ways because she feared being alone and rejected. At the same time, she resented Juvenal's insensitive behavior and irresponsibility.<sup>12</sup>

On the other hand, Juvenal was found to be suffering from Narcissistic Personality Disorder co-existing with Anti-Social Personality Disorder. Such disorder was characterized by his consistent irresponsibility and grandiose sense of self-importance which were manifested by his belief that he is

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<sup>6</sup> Id.

<sup>7</sup> Id.

<sup>8</sup> Exhibit "B," records, p. 91.

<sup>9</sup> *Rollo*, p. 33

<sup>10</sup> Id.

<sup>11</sup> Records, pp. 18-32. Psychological Evaluation Report.

<sup>12</sup> Id. at 35.

special and important. He was also manipulative, arrogant, apathetic, and insensitive.<sup>13</sup>

The root causes of their personality disorders were traced back to their respective family history and background, which disorders were considered severe and grave resulting in their inability to comply with the essential obligations of marriage.<sup>14</sup>

### **Ruling of the Regional Trial Court**

On February 6, 2018, the RTC rendered a Decision<sup>15</sup> which declared null and void the marriage between Catherine and Juvenal. It held that the totality of evidence supports a conclusion that the parties' psychological incapacities are considered severe and incurable in nature. It agreed with the findings as stated in the Psychological Evaluation Report that the parties' symptoms were ego-syntonic, that they felt comfortable with their behavior, and they saw nothing wrong with them.

Their conditions were considered with juridical antecedence, incurable and grave enough that they could not have known the marital obligations they were assuming which led to the total breakdown of their marriage.<sup>16</sup>

The dispositive portion of the RTC's Decision reads:

WHEREFORE, premises considered, judgment is hereby rendered:

1. Declaring the marriage between CATHERINE AGUILAR VALENZUELA and JUVENAL C. VALENZUELA which was celebrated on 28 May 2001 in Quezon City, Metro Manila as null and void under Article 36 of the Family Code of the Philippines; and
2. Further directing the Local Civil Registrar of Quezon City, Metro Manila, and the Civil Registrar General, Philippine Statistics Authority to stamp/annotate on said Certificate of Marriage of parties the order of the Court in their respective register (Book of Marriage), rendering the same without force and effect.

SO ORDERED.<sup>17</sup>

The oppositor-appellee, Republic of the Philippines, through the Office of the Solicitor General (OSG), filed a Motion for Reconsideration<sup>18</sup> but it was denied by the RTC in an Order<sup>19</sup> dated August 8, 2018.

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<sup>13</sup> Id.

<sup>14</sup> Id.

<sup>15</sup> *Rollo*, pp. 47-58.

<sup>16</sup> Id.

<sup>17</sup> Id. at 58.

<sup>18</sup> Records, pp. 172-177.

<sup>19</sup> *CA rollo*, pp. 22-26.

Hence, the OSG filed an appeal insisting that the trial court erred in declaring the marriage null and void under Art. 36 of the Family Code.<sup>20</sup>

### **Ruling of the Court of Appeals**

On January 22, 2020, the CA rendered a Decision<sup>21</sup> which granted the appeal of the OSG.

The dispositive portion of the CA's Decision states:

WHEREFORE, the appeal is hereby GRANTED. The assailed Decision dated February 6, 2018, and the Order dated August 8, 2018 of the Regional Trial Court, Branch 109, Pasay City are REVERSED and SET ASIDE. The marriage of Catherine Aguilar Valenzuela and Juvenal C. Valenzuela remains valid and subsisting.

SO ORDERED.<sup>22</sup>

The appellate court found that Catherine failed to sufficiently establish that her psychological incapacity and that of Juvenal was grave, incurable, and existing even before the marriage. Thus, there was no basis for declaring the marriage of Catherine and Juvenal null and void under Art. 36 of the Family Code.<sup>23</sup>

Hence, Catherine filed this Petition for Review.<sup>24</sup>

### **Issue**

Should the marriage between Christine and Juvenal be declared as void due to psychological incapacity.

### **Our Ruling**

The answer is in the affirmative.

Art. 36 of the Family Code states that:

ARTICLE 36. A marriage contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations of marriage, shall likewise be void even if such incapacity becomes manifest only after its solemnization.

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<sup>20</sup> Id. at 47.

<sup>21</sup> *Rollo*, pp. 32-43.

<sup>22</sup> Id. at 42-43.

<sup>23</sup> Id. at 37-42.

<sup>24</sup> Id. at 10-26.

The CA mainly premised its Decision on *Santos vs. Court of Appeals*<sup>25</sup> (*Santos*) to reverse the RTC ruling, and to refuse to nullify the marriage under Art. 36 of the Family Code.

According to *Santos*, psychological incapacity must be characterized by (1) gravity, (2) juridical antecedence, and (3) incurability. It should refer to no less than a mental, not merely physical incapacity that causes a party to be truly incognitive of the basic marital covenants that concomitantly must be assumed and discharged by the parties to the marriage. The intendment of the law has been to confine the meaning of psychological incapacity to the most serious cases of personality disorders clearly demonstrative of an utter insensitivity or inability to give meaning and significance to the marriage.<sup>26</sup>

The CA pointed out that there was no showing that the psychological disorder of both parties was grave. While the psychological report of Beltran concluded that Catherine was suffering from Dependent Personality Disorder with Passive-Aggressive trends, she failed to elaborate on the manifestations of Catherine's psychological disorder which rendered her unable to discharge her duties as a spouse. On the part of Juvenal, there was no showing that his alleged psychological disorder as primarily characterized by his feeling of self-importance, demanding and arrogant behavior, and lack of empathy towards his spouse could not be just equated with psychological incapacity absent any showing that it clearly manifests a severe disordered personality which makes him truly incognitive of the essential obligations of the marital state.<sup>27</sup>

Furthermore, the CA stressed that the evidence on record failed to show that Catherine's alleged psychological incapacity existed prior to the celebration of their marriage. Lastly, that the evidence failed to establish the incurability of Catherine's alleged psychological incapacity.<sup>28</sup>

In the case of *Tan-Andal v. Andal*<sup>29</sup> (*Tan-Andal*), the Court found that to prove psychological incapacity, a party must present clear and convincing evidence<sup>30</sup> of its existence which may be shown through testimonies on one's personality, and how it formed primarily through childhood and adult experiences well before the marriage. With respect to gravity, the requirement is retained, not in the sense that the psychological incapacity must be shown to be a serious or dangerous illness, but that "mild characterological peculiarities, mood changes, occasional emotional outbursts"<sup>31</sup> are excluded. The psychological incapacity cannot be mere "refusal, neglect, or difficulty,

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<sup>25</sup> 310 Phil. 21 (1995).

<sup>26</sup> Id.

<sup>27</sup> *Rollo*, pp. 38-39.

<sup>28</sup> Id. at 40.

<sup>29</sup> G.R. No. 196359, May 11, 2021.

<sup>30</sup> Id.

<sup>31</sup> Id.

much less ill will.”<sup>32</sup> In other words, it must be shown that the incapacity is caused by a genuinely serious psychic cause.<sup>33</sup>

With regard to the juridical antecedence, parties to a nullity case are still required to prove it because it is an explicit requirement of the law. Art. 36 is clear that the psychological incapacity must be existing at the time of celebration of the marriage, even if such incapacity becomes manifest only after its solemnization. This distinguishes psychological incapacity from divorce. Divorce severs a marital tie for causes, psychological or otherwise, that may have developed after the marriage celebration.<sup>34</sup>

As to the third requirement of incurability, the Court acknowledges that psychological incapacity, not being an illness in a medical sense, is not something to be cured. As such, incurability shall mean in a legal sense, not in a medical sense. In particular, this means that the incapacity is so enduring and persistent with respect to a specific partner and contemplates a situation where the couple’s respective personality structures are so incompatible and antagonistic that the only result of the union would be the inevitable and irreparable breakdown of the marriage.<sup>35</sup>

Prior to *Tan-Andal*, courts in general based their decisions on the findings of medical experts such as clinical psychologists. Consequently, parties to nullity cases took the pains of seeking psychological tests to prove their individual claims of psychological incapacity, such as in this case. In view thereof, the Court may still consider such clinical findings as supported by testimonies of Catherine to determine the totality of evidence<sup>36</sup> as required in nullity cases due to psychological incapacity. It is worth mentioning that psychiatric clinical interview and mental status examination remain to be the principal techniques in diagnosing psychiatric disorders.<sup>37</sup>

On the issue of gravity, the report of the Clinical Psychologist, as cited by the RTC, stated that:

[CATHERINE AGUILAR VALENZUELA] is said to be suffering from Dependent Personality Disorder with Passive-Aggressive Trends. According to the historical data and test evaluation, Petitioner’s disorder is manifested through the following:

1. She manifests pervasive pattern of passive and submissive behavior to gain acceptance (ex. She would do everything to adhere to what her husband wants and demands, to the point of sacrificing her own happiness. She does this, in

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<sup>32</sup> Id.

<sup>33</sup> Id. at 33-34.

<sup>34</sup> Id. at 32.

<sup>35</sup> Id. at 33.

<sup>36</sup> Id. at 31.

<sup>37</sup> *Tan-Andal v. Andal*, supra, citing B.J. Sadock, M.D. and V.A. Sadock, M.D. Kaplan & Sadock’s Synopsis of Psychiatry Behavioral Science/Clinical Psychiatry 229-245 (9<sup>th</sup> ed., 2003).

her desire to sustain a unified marital relation, since she doesn't want to have a broken marriage).

2. She lacks self-confidence and assertiveness (ex. She failed to assert her rights as a wife, so that she has chosen to suffer in silence while her spouse continuously manipulate, abuses her and took her for granted as he crushed on her rights as a person).

3. She is gullible in terms of decision-making (ex. She allowed her husband, to be the one to make all the decisions in their family. She cannot show firmness in her disposition and even do things that are against her being, [because] she has no choice, otherwise she will suffer the consequence if she thwarts his whims).

4. She feels fearful of being alone and rejected (ex. She had always feared the vision of becoming alone and having a broken family so that she had chosen to stick to her husband despite his insensitiveness, irresponsibility and abusive behavior).

5. She has difficulty in expressing disagreement with others for fear of loss of emotional support (ex. She had turned a blind eye to the abusive and manipulative behavior of her husband for long period of time, in order to sustain sense of self-acceptance and emotional dependency needs).

6. She tolerates demanding and abusive spouse for long period of [time] to sustain her emotional dependency (ex. She had endured the verbal, physical and emotional abuses of her spouse though it was already demeaning to her being, because she fears to be alone and have a broken marriage).

7. She alternates between hostile defiance and contrition (ex. She resents her husband's insensitive behavior and irresponsibility, despite that she still exerts too much effort to give him a chance to mend his ways for the sake of saving their marriage).

8. She tends to be sullen and argumentative (ex. She initially been tolerant of the offensive behavior of her husband, soon when her limit of control is reached, she engaged in verbal tussles with her spouse especially when he refused to mend his ways).

9. She expresses anger and disappointment in subtle ways for fear of rejection and/or abuse (ex. When it comes to her marriage, she had shown her full trust and support to her husband, to the extent that she allowed him to take her for granted. However, when her saturation point is reached, she may express her resentment thru rejection).

On the other hand, [JUVENAL C. VALENZUELA] was diagnosed with Narcissistic Personality Disorder co-existing with Antisocial Personality Disorder. The personality disorder of respondent is manifested through the following behavioral patterns:

1. He manifested consistent irresponsibility (ex. Despite being an adult, he had failed to act as one; who is expected to be responsible husband. In fact, he prioritized the satisfaction of his own needs and feelings, and never exerted an inch of effort to mend his ways for the sake of saving their union).

2. Has grandiose sense of self - importance and believes he is special (ex. He is used of getting what he wants, being the favored child in their family. As such, he expects that his wife would also understand and tolerate [his] whims and demands including his irresponsibility and abusive behavior).

3. He lacks empathy and is unwilling to recognize or identify with the feelings and needs of others (ex. He lacks consideration and had even shown cruelty as well as insensitive attitude towards his wife. In fact, he prioritized his hedonistic activities; like drinking sprees, gambling and womanizing, instead of attending to the needs of his wife. He would also say bad things about Petitioner's friends and family, at their back).

4. He prefers a self-gratifying lifestyle that gives him pleasure (ex. He fails to exert an effort to take care of his wife; as he had remained happy-go-lucky and insensitive of her needs. Instead, he is too involved in hanging out with his "barkadas", which is his source of happiness as they indulge in vices; drinking sprees, chain-smoking and gambling in casinos, later womanizing).

5. He seeks other relationships as a source of care and support (ex. He was not able to effectively assume his roles/obligations as a husband, because he was pre-occupied with his "barkadas" who he feels the good time, when they indulge in various vices. He also been deceitful and engaged in extra - marital affairs).

6. He manifests deceitful and manipulative behavior (ex. Even at the start of their marital life, Respondent already betrayed Petitioner when he made her believed that he was sincere of his love for her. He also lied when he promised his wife that he's going to mend his ways and give up his vices and philandering ways).

7. He inflicts trauma (verbal, emotional and physical) towards others, including his wife (ex. He is easily gets irritated and temperamental that he would hurt his wife verbally, emotionally and physically especially when questioned or when his wants are thwarted. Likewise, when driving, he would speed their car and been discourteous with other drivers. Many times his ill - tempered demeanor, caused him to be trouble with other motorists).

8. He had never expressed any remorse nor be apologetic to his wife and children [sic] for his misdeeds (ex. He doesn't [feel] guilty or apologetic for his irresponsibility for not being able to do his share of responsibilities for his wife and children [sic]. Likewise, he was never sorry for his faulty and abusive behavior).

Given the abovementioned behavioral irregularities, both parties are deemed incapable of performing their essential marital obligations and these personality traits were already existent prior to the celebration of their marital union. Prognoses for the said conditions are equally poor. Henceforth, the Clinical Psychologist highly recommended the nullification of the marriage to give chance to petitioner and respondent to start anew with their lives.<sup>38</sup>

On top of that, Catherine testified that Juvenal had a devil-may-care attitude, indulged in drinking sprees with his friends, without saving anything

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<sup>38</sup> *Rollo*, pp. 51-54.



to support their needs. Catherine tolerated her husband's shortcomings, but she would often persuade him to reform his ways. Juvenal took this negatively up to a point where he verbally and physically assaulted his wife.<sup>39</sup>

Juvenal also had an affair with a co-worker and when Catherine confronted him about it, he just evaded the issue. Juvenal refrained from talking to her and worse, he became hooked on vices. After work, Juvenal spent the rest of his day by either drinking liquor or gambling with friends. He also became ill-tempered and insensitive to Catherine, to the point that he criticized her appearance, manner of dressing, and, even hurled derogatory remarks about Catherine's parents and friends.<sup>40</sup>

When Catherine's mother told Juvenal that she would take Catherine with her to put a stop on their fights, Juvenal did not even object. Instead, he maintained a relationship with someone else.<sup>41</sup>

Catherine even received a document<sup>42</sup> denominated as Final Decree of Divorce instituted by Juvenal before the Circuit Court for the City of Alexandria, Virginia, United States of America.

All these allegations were never rebutted by Juvenal.

To address the issue on juridical antecedence, as cited in the psychological evaluation, the psychological incapacities of Juvenal and Catherine had started in the early stages of their lives and intensified by the responsibilities and obligations that they had to carry out in adulthood, thus, it is already deep-seated in their personality development and mode of adjustment to their environment and relationship. The psychological incapacity of Catherine and Juvenal have juridical antecedence as these had been present even before the celebration of their marriage but had only manifested thereafter as intensified by the intricacies of the responsibilities entailed in marital life.<sup>43</sup>

Finally, on the issue of incurability, *Tan-Andal* clarified that it should be understood in a legal, not medical sense, meaning that the incapacity is so enduring and persistent with respect to a specific partner and contemplates a situation where the couple's respective personality structures are so incompatible and antagonistic that the only result of the union would be the inevitable and irreparable breakdown of the marriage.

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<sup>39</sup> Records, pp. 3-14.

<sup>40</sup> Id.

<sup>41</sup> Id.

<sup>42</sup> Exhibit "B," records, p. 91.

<sup>43</sup> Id. at 22.

To reiterate, the clinical findings as supported by the testimony of Catherine may still be considered to determine the totality of evidence<sup>44</sup> as required in nullity cases due to psychological incapacity, since psychiatric clinical interview and mental status examination remain to be the principal techniques in diagnosing psychiatric disorders.<sup>45</sup>

Considering all these, We agree with the RTC when it found that the psychological incapacities of both parties are grave to have caused the total breakdown of their marriage, as it hampered their normal adaptation related to marital adjustment.<sup>46</sup>

Furthermore, the condition of the parties can be traced back to their psycho-sexual development as individuals and since it had already been engraved in their psyche, it is already deeply seated in their personality development and existent even prior to the celebration of the marriage.<sup>47</sup>

It is inevitable for Us to consider Beltran's findings that the parties' respective disorders are ego-syntonic, which means that they feel comfortable with their behavior as it is acceptable to their ego, so they see nothing wrong with them. Therefore, they remain unmotivated and impermeable to recovery.<sup>48</sup>

The Court stated in the case of *Ngo-Te v. Yu-Te*<sup>49</sup> that:

In dissolving marital bonds on account of either party's psychological incapacity, the Court is not demolishing the foundation of families, but it is actually protecting the sanctity of marriage, because it refuses to allow a person afflicted with a psychological disorder, who cannot comply with or assume the essential marital obligations, from remaining in that sacred bond. It may be stressed that the infliction of physical violence, constitutional indolence or laziness, drug dependence or addiction, and psychosexual anomaly are manifestations of a sociopathic personality anomaly. Let it be noted that in Article 36, there is no marriage to speak of in the first place, as the same is void from the very beginning. To indulge in imagery, the declaration of nullity under Article 36 will simply provide a decent burial to a stillborn marriage.<sup>50</sup>

**ACCORDINGLY**, the Petition for Review on *Certiorari* is **GRANTED**. The Court of Appeals' January 22, 2020 Decision and the November 5, 2020 Resolution in CA-G.R. CV No. 112395 are **REVERSED** and **SET ASIDE**. The February 6, 2018 Decision of the Regional Trial Court

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<sup>44</sup> Id.

<sup>45</sup> *Tan-Andal v. Andal*, supra note 29, citing B.J. Sadock, M.D. and V.A. Sadock, M.D. Kaplan & Sadock's Synopsis of Psychiatry Behavioral Science/Clinical Psychiatry 229-245 (9<sup>th</sup> ed., 2003).

<sup>46</sup> *Rollo*, p. 55.

<sup>47</sup> Id. at 61-62.

<sup>48</sup> Id. at 61.

<sup>49</sup> 598 Phil. 666 (2009).

<sup>50</sup> Id. at 698-699.

of Pasay City, Branch 109, in Civil Case No. R-PSY-16-24190-CV is **REINSTATED**.

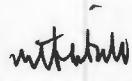
The compliance of respondent Juvenal C. Valenzuela with the Resolution dated December 6, 2021 is **DISPENSED WITH**; and the copies of the Resolutions December 6, 2021 and April 18, 2022 sent to respondent Mr. Juvenal C. Valenzuela at No. 2450 M. Dela Cruz Street, 1300 Pasay City, which were both returned to this Court on October 19, 2022 unserved with postal notation: “RTS-Unknown” and January 17, 2023 unserved, with postal notation: “RTS-No one to Receive,” respectively, are **NOTED** and the Resolutions dated December 6, 2021 and April 18, 2022 are **CONSIDERED** as **SERVED**.

**SO ORDERED.”**

**By authority of the Court:**

**LIBRADA C. BUENA**  
Division Clerk of Court

by:

  
**MARIA TERESA B. SIBULO**  
Deputy Division Clerk of Court  
**449 & 534**  
**APR 25 2023**

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(Civil Case No. R-PSY-16-24190-CV)

