



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

N O T I C E

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated February 3, 2021 which reads as follows:

“G.R. No. 238732 (Republic of the Philippines, Petitioner, v. Dr. Vanessa M. Banzon, Respondent). — This Petition for Review on Certiorari¹ seeks to reverse and set aside the Decision² dated 18 September 2017 and the Resolution³ dated 26 March 2018 rendered by the Court of Appeals (CA) in CA-G.R. CV No. 053821, which affirmed the Decision⁴ dated 10 March 2015 of Branch 11, Regional Trial Court (RTC) of Calubian, Leyte in Civil Case No. CN-209, granting Dr. Vanessa M. Banzon (Vanessa)'s Petition for Declaration of Nullity of Marriage (Petition for Nullity).

Antecedents

The factual milieu of the case, as culled from the records, are as follows:

After a whirlwind romance, Vanessa got pregnant by Matthew S. Banzon (Matthew) and later gave birth to Joshua Jaig Monge (Joshua). Thereafter, the family stayed with Matthew's parents and later got married on 23 June 2005.⁵

During their marriage, Matthew started displaying unusual behaviors indicative of psychological incapacity. He spent most of his time at his parents' business and would only come home after closing

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¹ *Rollo*, pp. 24-49.

² *Id.* at 9-14; penned by Associate Justice Edward B. Contreras, and concurred in by Associate Justices Edgardo L. Delos Santos (now a Member of this Court) and Gabriel T. Robeniol of the Nineteenth Division, Court of Appeals, Cebu City.

³ *Id.* at 17-18.

⁴ *Id.* at 72-83; penned by Judge Crescente F. Maraya, Jr.

⁵ *Id.* at 9.

hours; was extremely insecure and jealous over Vanessa's friends and co-workers; would go in a rage whenever Vanessa tried to initiate a discussion with him about anything and always insisted on having his way; and always wanted all of Vanessa's attention but never showed her love, affection, or respect.⁶

In September 2009, Vanessa went to Manila to review for her board examination. In March 2010, Vanessa learned that Matthew was in an affair with another woman; the mistress later gave birth to an illegitimate child on 26 December 2010. Roughly a year later, Matthew brought the said illegitimate child to stay at their family home without Vanessa's knowledge and consent.⁷

Against Vanessa's will, Matthew insisted that his illegitimate child continue to live at their family home. And when confronted about his sexual infidelity, Matthew simply told Vanessa that he felt needed by his other woman.⁸

Because of the stressful living situation at home, Vanessa was forced to pack up and leave their home with Joshua. Instead of trying to reconcile with Vanessa, Matthew continued his affair with the other woman, who eventually gave birth to a second child.⁹ Upon seeing the futility of her efforts in reconciling with Matthew and realizing that their marital tie had long deteriorated, Vanessa filed the Petition for Nullity.¹⁰ Matthew, on the other hand, did not file an Answer.¹¹

During trial, Dr. Lyn N. Verona (Dr. Verona) was presented to testify on her Neuropsychiatric Report on Vanessa. A mutual friend of the couple, Grace Ann A. Buena (Grace), also testified.¹²

Ruling of the RTC

On 10 March 2015, the RTC issued a Decision granting Vanessa's Petition for Nullity, to wit:

WHEREFORE, the Court declares the marriage entered into by and between **Matthew S. Banzon** and **Vanessa C. Monge** celebrated on June 23, 2005 by the Executive Judge of the Municipal Trial Court in Cities of Tacloban City ***NULL and VOID***

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⁶ *Id.* at 10.

⁷ *Id.*

⁸ *Id.* at 74.

⁹ *Id.* at 10

¹⁰ *Id.* at 75.

¹¹ *Id.* at 10.

¹² *Id.* at 59.

from the beginning. Because no property was acquired during the union, there is nothing to distribute, liquidate and settle.

The custody of their minor son Joshua Jaig M. Banzon shall remain with petitioner with visitation rights given to respondent.

The petitioner's prayer that she be allowed to revert back to the use of her maiden name Vanessa C. Monge is granted by the Court.

Send copies of this Decision on the petitioner through her counsel, on the respondent at his last known address, the Office of the Solicitor General, the Office of the Provincial Prosecutor of Calubian, Leyte, and to the Local Civil Registrars of Tacloban City and Calubian, Leyte.

DONE in Chambers on this 10th day of March, 2015 at Calubian, Leyte.¹³

In ruling the Petition for Nullity meritorious, the RTC found the testimony of Dr. Verona, who is the Head of Psychiatry Department of the Eastern Visayas Regional Medical Center, convincing. This, especially since her findings are identical with the description of Vanessa and her witnesses regarding the manifestation of Matthew's Dependent Personality Disorder. It held that Matthew was not able to assume the essential obligations of marriage because of said grave and incurable disorder, which was brought about by his developmental years.¹⁴

The Office of the Solicitor General (Solicitor General) moved for reconsideration¹⁵ but the same was denied by the RTC in its Order¹⁶ dated 16 September 2015. Dissatisfied, the Solicitor General filed a Notice of Appeal with the CA.

Ruling of the CA

On 18 September 2017, the CA dismissed the Appeal, *viz*:

From the foregoing, it has been shown that Matthew is indeed suffering from psychological incapacity that effectively renders him unable to perform the essential obligations of marriage. Accordingly, the marriage between Vanessa and Matthew is declared null and void.

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¹³ *Id.* at 83.

¹⁴ *Id.* at 81-83, 97.

¹⁵ *Id.* at 84-95.

¹⁶ *Id.* at 96-97.

WHEREFORE, the appeal is DENIED. The Decision of Branch 11 of the Regional Trial Court of Calubian, Leyte, dated March 10, 2015 granting Petitioner-Appellee's Petition for Declaration of Nullity of Marriage is AFFIRMED.

SO ORDERED.¹⁷

In finding the Petition bereft of merit, the CA ruled that it has been sufficiently established that Matthew had a psychological condition that was grave and incurable and had a deeply rooted cause. This effectively renders him unable to perform the essential obligations of marriage.¹⁸

The appellate court mainly hinged its Decision on the case of *Te v. Yu-Te, et al.*,¹⁹ where this Court has held that the provision on psychological incapacity as a ground for declaration of nullity of marriage should be interpreted on a case-to-case basis. In line with this, the CA accorded great weight to Dr. Verona's findings; underlining that courts, despite having the primary task and burden of decision-making, must consider as essential the expert opinion on the psychological and mental dispositions of the parties.²⁰

The CA denied the Solicitor General's Motion for Reconsideration in its Resolution²¹ dated 26 March 2018. Hence, this Petition.

Issue

Aggrieved, the Solicitor General now raises the following issue for the Court's discussion:

WHETHER THE TOTALITY OF THE EVIDENCE ADDUCED PROVES THE PSYCHOLOGICAL INCAPACITY OF MATTHEW WARRANTING THE ANNULMENT OF THE SPOUSES' MARRIAGE UNDER ARTICLE 36 OF THE FAMILY CODE.²²

Essentially, the issue to be resolved is whether or not Matthew is psychologically incapacitated to comply with his essential marital obligations.

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¹⁷ *Id.* at 14.

¹⁸ *Id.* at 13-14.

¹⁹ G.R. 161793, 13 February 2009, 598 Phil. 666 (2009) [Per J. Nachura].

²⁰ *Id.* at 11-12.

²¹ *Id.* at 17-18.

²² *Id.* at 29.

Ruling of the Court

The petition must be denied.

The totality of evidence presented sufficiently prove Matthew's psychological incapacity

In *Republic v. Mola Cruz*,²³ this Court reiterated that to entitle a petitioner spouse to a declaration of the nullity of his or her marriage, the totality of the evidence must sufficiently prove that the respondent spouse's psychological incapacity was grave, incurable and existing prior to the time of the marriage. The incapacity must be grave or serious such that the party would be incapable of carrying out the ordinary duties required in marriage; it must be rooted in the history of the party antedating the marriage, although the overt manifestations may emerge only after the marriage; and it must be incurable or, even if it were otherwise, the cure would be beyond the means of the party involved.²⁴

This Court has pronounced in recent jurisprudence that notwithstanding the guidelines laid down in *Republic v. Court of Appeals and Molina* (Molina case),²⁵ there is a need to emphasize other perspectives which should govern the disposition of petitions for declaration of nullity under Article 36. Each case must be judged, not on the basis of *a priori* assumptions, predilections or generalizations, but according to its own facts.²⁶

In this regard, it must be underlined that no case is on "all fours" with another case. The trial judge, hence, must take pains in examining the factual milieu and the appellate court must, as much as possible, avoid substituting its own judgment for that of the trial court.²⁷ This, especially when the findings of the RTC on the existence or non-existence of a party's psychological incapacity are sufficiently supported by the facts and evidence presented.²⁸

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²³ *Republic v. Mola Cruz*, G.R. No. 236629, 23 July 2018 [Per J. Gesmundo].

²⁴ *Id.*

²⁵ *Republic v. Court of Appeals and Molina*, G.R. No. 108763, 13 February 1997, 335 Phil. 664 (1997) [Per J. Panganiban].

²⁶ *Azcueta v. Republic*, G.R. No. 180668, 26 May 2009, 606 Phil. 177 (2009) [Per J. Leonardo-De Castro].

²⁷ *Id.*

²⁸ *Supra* at note 23.

Guided by the foregoing jurisprudential premise, this Court holds that both the CA and the RTC did not err in finding that the totality of evidence presented by Vanessa sufficiently established the link between Matthew's actions showing his psychological incapacity to perform his marital obligations and his Dependent Personality Disorder. After a judicious review of the records of the case, We find that there was sufficient compliance with the *Molina* case to warrant the annulment of the parties' marriage under Article 36.

First, Vanessa successfully discharged her burden to prove the psychological incapacity of her husband. Contary to the Solicitor General's claim that Dr. Verona's assessment do not suffice, having been based on the information provided by Vanessa, the lack of personal examination and interview of the respondent, or any other person diagnosed with personality disorder, does not *per se* invalidate the testimonies of the doctors. Neither do their findings automatically constitute hearsay that would result in their exclusion as evidence.²⁹

For one, marriage, by its very definition, necessarily involves only two (2) persons. The totality of the behavior of one spouse during the cohabitation and marriage is generally and genuinely witnessed mainly by the other. In this case, Dr. Verona testified on her assessment of the present state of the parties' marriage from the perception of one of the parties, Vanessa. Certainly, Vanessa, during their marriage, had occasion to interact with, and experience, Matthew's pattern of behavior which she could then validly relay to the clinical psychologists and the psychiatrist.³⁰

Likewise, Dr. Verona's assessment were not based solely on the narration or personal interview of Vanessa. Other informants namely, Matthew's own cousin and Grace, testified on their own observations of Matthew's behavior and interactions with the couple, spanning the period of time they knew him.³¹ Dr. Verona conducted thorough clinical interviews and psychiatric examinations on Vanessa and her informants.

This Court has ruled that doctors, within their acknowledged field of expertise, can diagnose the psychological make up of a person based on a number of factors culled from various sources. It is likewise worthy to note that a person afflicted with a personality disorder will not necessarily have personal knowledge thereof.³²

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²⁹ *Camacho-Reyes v. Reyes-Reyes*, G.R. No. 185286, 18 August 2010, 642 Phil. 602 (2010) [Per J. Nachura].

³⁰ *Id.*

³¹ *Id.*

³² *Id.*



Verily, it is true that in petitions for nullification of marriages, it is not necessary that a physician examine the person to be declared psychologically incapacitated. What is important is the presence of evidence that can adequately establish the party's psychological condition. If the totality of evidence presented is enough to sustain a finding of psychological incapacity, then actual medical examination of the person concerned need not be resorted to.³³ Thus, Dr. Verona's personal interview of Matthew was not required.

Second, in the instant case, the root cause of Matthew's psychological incapacity was medically or clinically identified, as he was diagnosed with Dependent Personality Disorder; the same was alleged in Vanessa's complaint; it was sufficiently proven by Dr. Verona, a psychiatrist; and the link of this psychological disorder to the psychological incapacity of Matthew to assume his marital obligations was explained in the Decision of the RTC.³⁴

Third, Vanessa, through the expert opinion of Dr. Verona, sufficiently proved that the psychological incapacity of Matthew had already been existing at the time of the celebration of their marriage, and is grave and incurable as to render him psychologically incapacitated to assume his marital obligations to Vanessa under Articles 68 to 71 of the Family Code.³⁵

To stress, Dr. Verona's report stated that Matthew is suffering from Dependent Personality Disorder based on the following:

- A. Has difficulty expressing disagreement
 - He is submissive as he does not assert his right.
 - Even when Vanessa was already pregnant, he abided his parents' decision not to marry yet.
- B. He feels uncomfortable or helpless when alone
 - When Vanessa left for Manila to review and to take the board exam, he looked for someone to comfort him.
- C. Urgently seeks another relationship
 - When he was left, he immediately found another woman.
- D. Does not like to be alone. He seeks out other on whom he can depend.

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³³ *Republic v. Pangasinan*, G.R. No. 214077, 10 August 2016, 792 Phil. 808 (2016) [Per J. Velasco, Jr.]; see also *Suazo v. Suazo*, G.R. No. 164493, 12 March 2010, 629 Phil. 157 (2010) [Per J. Brion].

³⁴ *Rollo*, pp. 62-83.

³⁵ *Id.* at 96-97.

- As Vanessa took the exam, he lost his source of case and support, thus, he seek out someone on whom he can depend.³⁶

Dr. Verona explained that people with Dependent Personality Disorder are characterized by a pervasive pattern of dependent and submissive behavior. This is manifested in Matthew's difficulty of expressing disagreement; he feels uncomfortable when alone; he urgently seeks another relationship; he does not like to be alone and he seeks out others on whom he can depend.³⁷

Indeed, Dr. Verona observed in the thorough interviews and series of tests conducted that:

x x x it was clearly shown that during courtship they didn't have major disagreement. There was no third party involve [sic] either. When Matthew was still studying in Cebu, he was with Vanessa most of the time, inside and outside school. It was then reflected that he seek the support of Vanessa on whom he depended while away from his parents. His social relationship are [sic] limited to those on whom he can depend. Going back to his childhood, it was revealed how Matthew was reared up by his strict parents. When he was still a child, he had to observe the imposed house rules and to submit to his parents, especially to his father, with no right to be heard. He could not assert his self. So it then developed in him his submissiveness, [sic] and dependency. However, Matthew was provided with his basic needs and material wants except that his decision was unheard. When Vanessa got pregnant, he did not oppose to [sic] his parents' decision not to marry her right away. Though he has already a child, he abided his parents when he was told to stay with them while Vanessa lived with her family. His parents supported his family, but his life was controlled by his parents that he abide whatever his parents wanted him to do.³⁸

Contrary to the Solicitor General's posture, the above findings reveal that Matthew has long suffered from Dependent Personality Disorder even prior to marriage.

In any case, the fact that Matthew's disorder overtly manifested itself through actions that occurred after the marriage was celebrated does not mean that there is no psychological incapacity to speak of. As held in *Republic v. Pangasinan*,³⁹ psychological incapacity may manifest itself after the celebration of the marriage even if it already

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³⁶ *Id.* at 134; Neuropsychiatric Report, pp. 9-10.

³⁷ *Id.* at 82.

³⁸ *Id.* at 82; Judicial Affidavit of Dr. Verona, pp. 7-8.

³⁹ G.R. No. 214077, 10 August 2016, 792 Phil. 808 (2016) [Per J. Velasco].

exists at the time of the marriage. More importantly, Article 36 of the Family Code is explicit – a marriage contracted by a psychologically incapacitated party is also treated as void even if the incapacity becomes manifest only after the marriage was celebrated. This is precisely the reason why a psychiatrist has to know each party's personal and family background, from his/her early childhood to his/her adult life. Only by knowing the same can they form a conclusion about the person's psychological well-being prior to his/her marriage.⁴⁰

On the other hand, the gravity of Matthew's disorder is shown by appreciating the totality of his actions after he got married.⁴¹ In fact, Dr. Verona diagnosed the disorder grave as it rendered Matthew incapable of carrying out his duties under marriage to live together, observe mutual love, respect and support. To be sure, Matthew has difficulty expressing disagreement, is submissive, does not assert his rights, and depends on his parents in his decision-making. Worse, when left alone, he engaged in an extra-marital affair with another woman with whom he begot a child, and even brought said child to the family home. Instead of ending his affair, he continued his relationship with the other woman, siring a second child. When confronted regarding this, he simply said he felt needed by his other woman.⁴² It is also worthy to note that Matthew still has no income of his own and does not provide support to Joshua.⁴³

The incurability of Matthew's condition which has been deeply ingrained in his system since his early years was likewise supported by evidence and duly explained by Dr. Verona and the witnesses presented.⁴⁴ This, especially since individuals with diagnosable personality disorders usually have long-term concerns, and thus therapy may be long-term as the same are effectively dysfunctional styles of living. Hence, beyond the means of the parties.⁴⁵

In the case of *Te v. Yu-Te*, this Court explained why a person afflicted with Dependent Personality Disorder would be incapacitated to comply with marital obligations, thus:

Indeed, petitioner, who is afflicted with dependent personality disorder, cannot assume the essential marital obligations of living together, observing love, respect and fidelity and rendering help

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⁴⁰ *Republic v. Mola Cruz*, G.R. No. 236629, 23 July 2018 [Per J. Gesmundo] citing *Republic v. Pangasinan*, G.R. No. 214077, 10 August 2016 [Per J. Velasco].

⁴¹ *Id.*

⁴² *Rollo*, p. 74.

⁴³ *Id.* at 254.

⁴⁴ *Id.* at 82, 253.

⁴⁵ *Supra* at 19.

and support, for he is unable to make everyday decisions without advice from others, allows others to make most of his important decisions (such as where to live), tends to agree with people even when he believes they are wrong, has difficulty doing things on his own, volunteers to do things that are demeaning in order to get approval from other people, feels uncomfortable or helpless when alone and is often preoccupied with fears of being abandoned. As clearly shown in this case, petitioner followed everything dictated to him by the persons around him. He is insecure, weak and gullible, has no sense of his identity as a person, has no cohesive self to speak of, and has no goals and clear direction in life.⁴⁶

As expounded further in *Azcueta v. Republic of the Philippines*,⁴⁷ "one who is unable to support himself, much less a wife; one who cannot independently make decisions regarding even the most basic and ordinary matters that spouses face everyday; one who cannot contribute to the material, physical and emotional well-being of his spouse is psychologically incapacitated to comply with the marital obligations within the meaning of Article 36."

Further, while the Solicitor General is correct that sexual infidelity is a ground for legal separation, it must be noted, however, that the courts *a quo* duly connected such aberrant acts of Matthew as actual manifestations of his Dependent Personality Disorder.

The seriousness of the diagnosis and the gravity of the disorder considered, the Court, in this case, finds as decisive the psychological evaluation made by the expert witness; and, thus, rules that the marriage of the parties is null and void on ground of Matthew's psychological incapacity. We further consider that the trial court, which had a first-hand view of the witnesses' deportment, arrived at the same conclusion.⁴⁸

In any case, this Court is not a trier of facts. It is well established that the uniform findings of the lower courts should be accorded great weight in cases where, as here, they are supported by the evidence on record.⁴⁹ As such, in *Perez-Ferraris v. Ferraris*,⁵⁰ We held that:

The issue of whether or not psychological incapacity exists in a given case calling for annulment of marriage depends crucially, more than in any field of the law, on the facts of the case.

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⁴⁶ *Id.*

⁴⁷ G.R. No. 180668, 26 May 2009 606 Phil. 177 (2009), [Per J. Leonardo- De Castro].

⁴⁸ *Supra* at note 19.

⁴⁹ *Meneses v. Lee-Meneses*, G.R. No. 200182, 13 March 2019 [Per J. Caguioa].

⁵⁰ G.R. No. 162368 (Resolution), 17 July 2006, 527 Phil. 722 (2006) [Per J. Ynares-Santiago].

Such factual issue, however, is beyond the province of this Court to review. It is not the function of the Court to analyze or weigh all over again the evidence or premises supportive of such factual determination. It is a well-established principle that factual findings of the trial court, when affirmed by the Court of Appeals, are binding on this Court, save for the most compelling and cogent reasons, like when the findings of the appellate court go beyond the issues of the case, run contrary to the admissions of the parties to the case, or fail to notice certain relevant facts which, if properly considered, will justify a different conclusion; or when there is a misappreciation of facts x x x.

Verily, none of the foregoing exceptions that warrant a review of factual findings is present in this case.⁵¹

Finally, this Court reiterates that a straitjacket application of the Molina guidelines "has taken its toll on people who have to live with deviant behavior, moral insanity and sociopathic personality anomaly, which, like termites, consume little by little the very foundation of their families, our basic social institutions."⁵² Ironically, the ultimate effect of such stringent application of the *Molina* guidelines is the perversion of the family unit, the very institution that our laws are meant to protect.⁵³

WHEREFORE, the petition is hereby **DENIED**. Accordingly, the Decision dated 18 September 2017 and the Resolution dated 26 March 2018 rendered by the Court of Appeals (CA) in CA-G.R. CV No. 053821 are **AFFIRMED**.

SO ORDERED."

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court
gma5

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
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⁵¹ *Id.*

⁵² *Tani-De La Fuente v. De La Fuente, Jr.*, G.R. No. 188400, 08 March 2017, 807 Phil. 31 (2017) [Per J. Leonen] citing *Ngo Te v. Yu-Te*, G.R. No. 161793, 13 February 2009, 598 Phil. 666 [Per J. Nachura].

⁵³ *Id.*

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