

Title: Rosanna L. Tan-Andal v. Mario Victor M. Andal: A Case of Void Marriage Due to Psychological Incapacity

Facts: Mario Victor M. Andal and Rosanna L. Tan were married on December 16, 1995. They had a daughter, Ma. Samantha, but after four years of marriage, the couple separated in 2000 due to Mario's alleged psychological incapacity. Post-separation, Rosanna maintained sole custody of their child. Mario initially filed for custody, arguing equal rights over Ma. Samantha, while Rosanna filed for the declaration of nullity of marriage, attributing Mario's psychological incapacity as the cause.

During their marriage, Mario displayed behavior suggestive of psychological issues, such as unaccounted absences, financial irresponsibility, drug use, and instances suggesting paranoia. Post-maternity, Mario's behavior worsened; he did not support Rosanna nor their daughter and engaged in drug use that led to negligence and paranoid behavior. When these problems persisted, Rosanna eventually petitioned the Regional Trial Court to commit Mario to a drug rehabilitation center.

Rosanna presented Dr. Valentina Del Fonso Garcia as an expert witness, who diagnosed Mario with a narcissistic antisocial personality disorder and substance abuse disorder with psychotic features. These disorders prevented Mario from fulfilling his marital and parental responsibilities. Despite these findings, the Court of Appeals reversed the trial court's decision to void the marriage.

Issues:

1. Whether Mario's marriage to Rosanna is void due to psychological incapacity.
2. Whether the property acquired during their union should be considered communal.
3. Whether the custody of Ma. Samantha was rightfully awarded to Rosanna.

Court's Decision:

The Court grants the Petition for Review on Certiorari, finding that clear and convincing evidence supports Rosanna's claim of Mario's psychological incapacity. The Supreme Court holds that psychological incapacity is not limited to medically diagnosed mental disorders but includes character traits that prevent compliance with essential marital obligations. Property relations are governed by Article 147, where only properties jointly acquired through the efforts of the spouses are considered common. In this case, it was proven that Rosanna and her father funded the construction of the family home, and Rosanna received the contested property through donation, making Mario ineligible for a share in the

property. Custody of Ma. Samantha is rightfully awarded to Rosanna, as she consistently demonstrated care and support for the child during their separation.

Doctrine:

1. Psychological incapacity under Article 36 of the Family Code does not require medical or clinical identification but encompasses clear acts of dysfunctionality in personality that hinder the fulfillment of marital obligations.
2. Property relations between parties in a void marriage are governed by the rules of co-ownership in proportion to actual contributions unless proven solely attributable to one party.
3. In child custody matters post parental separation, the primary consideration is the child's best interest, which typically aligns with awarding custody to the parent who has shown continuous support and care.

Historical Background:

The concept of psychological incapacity in Philippine law has undergone an evolution since the seminal cases of *Santos v. Court of Appeals* and *Molina*. The Supreme Court's interpretation has transitioned from a stringent application of guidelines to a more nuanced understanding that respects individual rights and aligns with the evolution of psychological science. The case at hand signifies a significant shift away from requiring medical diagnoses and towards recognizing the complex nature of human relationships and their effects on family and marriage.