

****Title**:** Susan Nicdao Cariño v. Susan Yee Cariño

****Facts**:**

SPO4 Santiago S. Cariño contracted two marriages during his lifetime. The first marriage was with Susan Nicdao Cariño on June 20, 1969, producing two children, Sahlee and Sandee Cariño. The second marriage was to Susan Yee Cariño on November 10, 1992, though the two had been cohabitating since 1982 without offspring. Following Santiago's death on November 23, 1992, both Susans filed for his death benefits from various government agencies. Susan Nicdao received P146,000.00, whereas Susan Yee received P21,000.00. Susan Yee subsequently filed a case for collection of sum of money, seeking at least half of the benefits Susan Nicdao received. Susan Nicdao was declared in default for failing to file her answer. Susan Yee claimed the first marriage was void due to lack of marriage license, providing a certificate from the local civil registrar confirming the absence of record for such a license.

****Issues**:**

1. Whether the two marriages of the deceased, SPO4 Santiago S. Cariño, are valid.
2. The determination of rightful claim to the "death benefits" of the deceased.
3. The applicability of Article 40 of the Family Code concerning the need for a judicial declaration of nullity for previous marriages.

****Court's Decision**:**

- The Court declared both marriages void *ab initio*. The first marriage lacked a valid marriage license, and the second was bigamous.
- Under Article 148 of the Family Code, Susan Yee had no right to the death benefits because she couldn't prove a joint contribution to their acquisition. Hence, these benefits belonged solely to Santiago's estate and, by intestate succession, to his legal heirs, his children with Susan Nicdao.
- Article 147 of the Family Code was applied to the property regime between Susan Nicdao and Santiago, granting Susan Nicdao a share in the death benefits as though part of community property.

****Doctrine**:**

1. The necessity of a valid marriage license for the validity of a marriage, except for those exempted.
2. For purposes other than remarriage, a judicial declaration of nullity of a previous marriage is not required to establish the marriage's nullity.

3. Articles 147 and 148 of the Family Code govern the property regime of unions without marriage, differentiating between partnerships of efforts (under Article 147) and acquisitions by actual joint contribution of money, property, or industry (under Article 148).

****Class Notes**:**

- Essential elements of valid marriages include the legal capacity of the contracting parties, their consent, authority of the person performing the marriage, and a marriage license.
- Property acquired by a couple living as husband and wife without benefit of marriage or under a void marriage is governed by Articles 147 (for those capable of marriage but void for other reasons) and 148 (for relationships considered iniquitous like bigamous marriages) of the Family Code.
- A judicial declaration of nullity of a previous marriage is necessary for remarrying; for other legal purposes, evidence proving the marriage's void status may suffice.

****Historical Background**:**

This case illustrates the evolution of Philippine legal thought regarding marriage validity, particularly in the context of subsequent marriages and the distribution of properties and benefits upon a spouse's death. It highlights the jurisprudential shift brought about by the Family Code, especially on the matter of judicial declaration of nullity for purposes other than remarriage. This decision reflects modern perspectives on marriage and family relations in Philippine society, emphasizing legal formality and fairness in the allocation of matrimonial properties and benefits.