

Title:

Republic of the Philippines and the Local Civil Registrar of Guimba, Nueva Ecija vs. Petronio L. Benemerito

Facts:

Respondent Petronio L. Benemerito sought to correct the Certificate of Live Birth of his son, Joven Lee S. Benemerito, to change the father's name from "Peter Laurente Benemerito" to "Petronio L. Benemerito" and to adjust the parents' marriage date from 01 September 1989 to 25 January 1998. The petition was filed on 29 February 1998 at the Regional Trial Court (RTC) of Nueva Ecija, which directed a notice of hearing to be published in a newspaper of general circulation for three consecutive weeks. Respondent testified that the erroneous entries were made in his son's birth certificate, highlighting that the correct marriage date was 25 January 1998 and not 01 September 1989 as mistakenly recorded.

On 20 April 1998, the RTC granted the correction petition. Dissatisfied, the Republic challenged the RTC's decision before the Court of Appeals (CA) on grounds that indispensable parties were not notified, and that the corrections sought were substantial and required adversarial proceedings. The CA, however, affirmed the RTC's decision on 29 January 2001, reasoning that the proceedings conform to the adversarial process and declared the corrections as innocuous.

Dissatisfied, the Republic filed an appeal to the Supreme Court, arguing that the corrections sought were substantial, affecting the status of the child and successional rights, thereby necessitating a proper adversarial proceeding.

Issues:

1. Whether or not the corrections sought for the birth certificate can be considered merely clerical or typographical errors.
2. Whether the procedural requirements for an adversarial proceeding, as mandated under Rule 108 of the Rules of Court, were satisfied.
3. The necessity of notifying or impleading all indispensable parties in the correction of entries in the civil register that may substantially affect the status and rights of concerned individuals.

Court's Decision:

The Supreme Court reversed the decision of the Court of Appeals, holding that the corrections sought by the respondent were not mere clerical or typographical errors but

substantial changes that could affect the rights and status of the parties involved. Specifically, the Court affirmed that changing the name of the father and the date of marriage of the child's parents could not be done through summary proceedings but required adversarial proceedings. The Court pointed out the necessity of impleading or notifying all indispensable parties, which was not satisfied in this case.

The Supreme Court clarified the distinction between clerical or typographical errors and substantial changes in the civil registry, which necessitates the observance of due process through adversarial proceedings. The Supreme Court also indicated that Republic Act 9048 permits administrative correction of clerical errors without a judicial order but reaffirmed that substantial changes must undergo the procedures outlined in Rule 108 of the Rules of Court.

Doctrine:

Entries in the civil registry that involve substantial changes affecting the status or successional rights of individuals cannot be corrected through summary proceedings but require adversarial proceedings with due notice to all indispensable parties, as prescribed under Rule 108 of the Rules of Court.

Class Notes:

- **Clerical or Typographical Error**: An error visible to the eyes or obvious to the understanding; a mistake in copying or writing. Can be corrected administratively without a judicial order under Republic Act 9048.
- **Substantial Changes**: Alterations affecting the civil status, nationality, or successional rights of a person. Requires adversarial proceedings with all interested parties duly notified and allowed to participate.
- **Rule 108 of the Rules of Court**: Governs the procedure for the cancellation or correction of entries in the civil registry.
- **Republic Act 9048**: Authorizes the city or municipal civil registrar or the Consul General to correct a clerical or typographical error and change the first name or nickname without a judicial order.
- **Adversarial Proceedings**: A judicial process where the parties assert and protect their rights before an impartial tribunal by presenting evidence and legal arguments.

Historical Background:

This case illustrates the judiciary's role in interpreting the procedures for correcting entries in the civil register, balancing the need for accuracy in public records with the rights of

individuals to have their civil status accurately reflected. The decision emphasizes the distinction between clerical errors and substantial changes, setting guidelines for the correction of civil registry entries in the Philippines.