

### ### Title

Kimric Casayuran Tan vs. The Local Civil Registrar of Makati City: A Case for the Grant of a Petition for Change of Name

### ### Facts

Kimric Casayuran Tan, originally a natural-born Filipino who became a British citizen, petitioned for a change of name from “Kimric Casayuran Tan” to “Kimric Florendo Casayuran,” arguing he had been known by the latter throughout his life and never by the former. The surname “Tan” belonged to his estranged father, Carlos Tan, who left him and his mother during his infancy. The name he identified with combined his mother’s maiden name (Florendo) and her surname (Casayuran). After discovering the discrepancy in his birth certificate while processing family documents in 2009, Kimric sought to officially change his name, sparking a series of legal challenges. The petition for change of name was filed at the Regional Trial Court (RTC) of Las Piñas City, followed by a denial of the petition, a denial of reconsideration by the RTC, and an affirmed denial by the Court of Appeals (CA). Kimric appealed to the Supreme Court on grounds that he had long been known by and identified with the name “Kimric Florendo Casayuran” and that continuing to use “Tan” would result in confusion and psychological burden.

### ### Issues

1. Whether Kimric is entitled to change his name based on long-term usage and identification.
2. Whether the procedural argument raised by the Office of the Solicitor General (OSG) regarding defective publication and jurisdiction can overturn the petition’s merits.
3. Whether changing the name would lead to confusion regarding Kimric’s paternity or status of legitimacy.

### ### Court’s Decision

The Supreme Court reversed the decision of the Court of Appeals and granted Kimric’s petition for change of name. The Court ruled:

1. **\*\*Jurisdiction Issue\*\***: The Court found that the OSG’s procedural argument against the court’s jurisdiction was invalid as the State, represented by public prosecutors, actively participated in the trial and could have raised jurisdictional objections but did not. Hence, the argument was rejected.
2. **\*\*Merits of the Case\*\***: The Supreme Court acknowledged the established long-term use of “Kimric Florendo Casayuran” by Kimric, evidenced by various documents including

educational records, government-issued IDs, and family records both in the Philippines and the United Kingdom. The Court recognized changing the name to align with these records would avoid confusion and mitigate potential psychological burdens. The Court dismissed concerns that the name change would lead to confusion about Kimric's paternity or legitimacy as unfounded.

### ### Doctrine

The central doctrine established by this case emphasizes the court's discretion in granting name changes based on legitimate, reasonable grounds such as long-term use and identification. It reiterates the principle that a name change petition can be granted to avoid confusion and is not limited by concerns over changing family relations, parental identity, or legitimacy as indicated on the birth certificate.

### ### Class Notes

- **Jurisdiction**: Objections regarding jurisdiction based on procedural grounds cannot be raised at a late stage if the State, represented at the trial, failed to object timely.
- **Change of Name as Discretionary**: A change of name is a discretionary judicial power that can be exercised when there are reasonable or compelling reasons, such as long-term use of the name and potential confusion or burden by using another name.
- **Public versus Private Interest in Names**: While the State has a general interest in the names of individuals for public records, this interest does not override the significant personal interest and identity expressed in the name an individual has been known by for a lifetime.

### ### Historical Background

This case highlights the evolving legal standards and social understandings regarding personal identity, names, and the rights of individuals. It underscores the judiciary's role in balancing statutory requirements with the pragmatic realities and psychological well-being of petitioners seeking legal recognition of their personal and social identities.