

Title: Republic of the Philippines vs. Merle M. Maligaya, also known as “Merly M. Maligaya-Sarmiento”

Facts:

In 2016, Merly Maligaya filed a petition in the Regional Trial Court (RTC) for the correction of her first name and date of birth on her birth certificate under Rule 108 of the Rules of Court. She sought to change her first name from “MERLE” to “MERLY” and her date of birth from “February 15, 1959,” to “November 26, 1958.” To support her petition, Maligaya presented various identification documents. The RTC ordered the publication of the petition in a newspaper for three consecutive weeks, held a trial, and eventually granted the petition.

The Office of the Solicitor General (OSG) moved for reconsideration, contesting the RTC’s decision on the grounds of lack of jurisdiction over the name correction, as it was a clerical error suitable for administrative correction under Republic Act (RA) No. 9048, as amended by RA No. 10172, and improper procedure for the birth date correction due to failure to implead all indispensable parties. The RTC denied the motion, leading to an appeal before the Supreme Court.

Issues:

1. Whether the RTC has jurisdiction under Rule 108 of the Rules of Court to correct the clerical error in the petitioner’s first name.
2. Whether the correction of the birth date constitutes a substantial change requiring compliance with the procedural requirements under Rule 108, including impleading all indispensable parties.

Court’s Decision:

The Supreme Court’s decision was partly in favor of both parties. The Court differentiated between clerical errors amendable through administrative proceedings under RA No. 9048, as amended by RA No. 10172, and substantial errors requiring judicial intervention under Rule 108 of the Rules of Court.

1. **First Name Correction**: The correction from “MERLE” to “MERLY” was deemed a clerical error. The Supreme Court cited prior cases, ruling such corrections could be conducted through administrative proceedings under RA 9048. However, noting that the

RTC does not lose jurisdiction over such matters and considering the evidence presented, the Supreme Court upheld the RTC's decision for the first name correction, citing efficiency and equity.

2. **Date of Birth Correction**: The correction of the date of birth was recognized as substantial, affecting Maligaya's legal age. The Supreme Court noted that such corrections require judicial approval. However, it found that Maligaya failed to comply with all procedural requirements of Rule 108, particularly in failing to implead indispensable parties such as her parents or other individuals who may be affected by the change. This failure rendered the proceedings void as to the correction of the birth date, and thus, this part of the RTC's decision was set aside.

Doctrine:

The case reinforces the distinction between clerical or typographical errors correctable through administrative proceedings under RA No. 9048, as amended by RA No. 10172, and substantial changes that affect the status or identity of a person, necessitating judicial intervention under Rule 108. It also emphasizes the requirement to implead all indispensable parties in petitions for substantial corrections to entries in civil registers.

Class Notes:

- **Clerical or Typographical Errors**: Refer to harmless and innocuous mistakes in civil registry entries, correctable administratively without a judicial order under RA No. 9048 and RA No. 10172.
- **Substantial Changes**: Affect an individual's essential legal rights or status, requiring an adversarial court proceeding under Rule 108, with all interested parties given the opportunity to be heard.
- **Rule 108 Procedures**: Include filing a petition in the RTC, publishing a notice in a newspaper of general circulation, and impleading all indispensable parties who might be affected by the correction.

Historical Background:

The decision illustrates the evolving legal mechanisms in the Philippines for correcting entries in civil registers, balancing the need for administrative efficiency and the protection of substantive rights. The case underscores the importance of legislative amendments (RA

9048 & RA 10172) in streamlining the correction processes for clerical errors while preserving judicial oversight for substantial modifications to civil status documents.