

**\*\*Title:\*\***

Bernie Santiago vs. Rommel C. Jornacion and the City Civil Registrar of Marikina City [G.R. No. 227542]

**\*\*Facts:\*\***

On May 17, 2013, Bernie Santiago (Bernie) filed a petition with the RTC of Marikina City to establish his paternity with Maria Sofia Jornacion (Sofia) and correct entries in her Birth Certificate. He claimed he was Sofia's biological father from his relationship with Magdalena O. Gabutin (Magdalena). Upon Sofia's birth on March 24, 2001, Magdalena was married to Rommel Jornacion (Rommel), and to prevent shame, Rommel was listed as Sofia's father. Bernie and Magdalena lived as a de facto couple, and Bernie financially supported Sofia from birth until he left the Philippines. Magdalena's death on October 23, 2012, prompted Bernie to seek legal recognition as Sofia's father.

The Amended Petition sought to list Bernie as the father in Sofia's Birth Certificate and correct her last name, among other details. To validate his claim, Bernie presented a DNA test conducted in the U.S., revealing his paternity.

The Republic of the Philippines, through the OSG, opposed the petition, invoking:

1. Article 164 of the Family Code presuming Sofia's legitimacy.
2. The legitimacy can only be questioned by Rommel or his heirs within specific timelines, and Bernie lacked standing.
3. Procedural errors in not initially impleading Sofia and other parties.

After dismissing the initial petition and a subsequent motion for reconsideration, Bernie filed an appeal to the CA, which upheld the RTC's dismissal. The CA affirmed Bernie's lack of standing and asserted the petition was an improper collateral attack on Sofia's legitimacy.

**\*\*Issues:\*\***

1. Whether the RTC and CA erred in dismissing Bernie's petition due to Bernie's lack of legal standing.
2. Whether the petition to correct Sofia's Birth Certificate could proceed despite procedural deficiencies.
3. Whether DNA evidence could establish Bernie's paternity and impugn Sofia's legitimacy.

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

1. **\*\*Standing and Jurisdiction\*\***: The Supreme Court found merit in Bernie's petition. It

reiterated that a petition under Rule 108, assuming all procedural requirements are followed, including notice and publication, constitutes an appropriate adversarial proceeding for correcting substantial entries. The Court noted that Bernie included all indispensable parties in the amended petition, thereby addressing procedural concerns.

2. **Application of Rule 108**: The Court underscored that Rule 108 can address corrections involving the status of legitimacy, as previous rulings mistakenly restricted this. Substantial corrections, including changes to one's status, are permissible if procedural rules are adhered to.

3. **DNA Evidence**: It emphasized that scientific advancements such as DNA testing now provide definitive evidence of paternity, applicable under A.M. No. 06-11-5-SC. DNA results indicating a 99.9% probability of paternity create a disputable presumption.

4. **Best Interests of the Child**: The Court focused on the welfare of Sofia. Given that Bernie claimed continual support and the absence of Rommel's involvement, establishing true filiation is crucial for Sofia's future.

The Court reversed the decisions of the CA and RTC, remanding the case to the RTC for further proceedings, including possible DNA analysis.

**Doctrine:**

1. **Rule 108 of the Rules of Court**: Petitions for correction of substantial entries, including legitimacy issues, can be pursued under Rule 108 provided procedural requirements such as notice and publication are complied with.

2. **DNA Evidence**: Recognized under A.M. No. 06-11-5-SC, DNA results with a 99.9% probability are disputably presumptive of paternity.

**Class Notes:**

1. **Standing in Filiation Cases**: Under Articles 170 and 171 of the Family Code, only a husband or his heirs can impugn legitimacy within prescribed timelines. However, Rule 108 allows others to correct entries if procedural requisites are satisfied.

2. **Presumption of Legitimacy**: Articles 164 and 167 establish the presumption but allow refutation based on scientific evidence.

3. **Judicial Correction of Civil Register Entries**: Articles 407-413 of the Civil Code allow judicial modifications of civil records, supporting Rule 108's application to substantial

corrections.

4. **Best Interests of the Child**: Always paramount in determining outcomes in familial disputes, influencing statutory interpretation and application.

**Historical Background:**

The case reflects evolving legal interpretations adapting alongside scientific advancements in establishing paternity, marking a shift towards evidence-based adjudications over traditional presumptions, in alignment with the best interests of the child. This approach modernizes the legal landscape, promoting factual determinations over assumptions in legitimacy questions.