

Simon R. Paterno vs. Dina Marie Lomongo Paterno

868 Phil. 206; 117 OG No. 33, 8412 (August 16, 2021)

Facts

1. Simon R. Paterno (Petitioner) and Dina Marie Lomongo Paterno (Respondent) were married on December 27, 1987.
2. Petitioner left the marital home in June 1998.
3. On June 9, 2000, Petitioner filed a petition for the declaration of nullity of marriage citing Respondent's psychological incapacity.
4. The Regional Trial Court (RTC) of Makati (Branch 144) granted the annulment on March 11, 2005, declaring both parties psychologically incapacitated, making the decision final.
5. Liquidation, partition, and distribution of common properties continued.
6. On September 26, 2006, Respondent filed a motion to compel the Petitioner to disclose his salaries and properties acquired after their separation.
7. Trial Court quashed the subpoena in an order dated November 22, 2006.
8. Respondent's petition for certiorari was dismissed by the Court of Appeals (CA), and the Supreme Court declined review in G.R. No. 180226.
9. Meanwhile, the case was rerouted to RTC Branch 136, where Respondent sought the appraisal and division of the co-owned properties and increased support for their children.
10. RTC granted partial distribution and increased monthly support to P250,000.00.
11. CA upheld the RTC's decision, prompting Petitioner to file for review with the Supreme Court.

Issues

1. Did the CA err in not setting aside the RTC Orders of November 29, 2011, and February 27, 2012, for alleged grave abuse of discretion?
2. Did the CA err in affirming the trial court's refusal to defer proceedings pending the resolution of G.R. No. 180226?
3. Did the CA err in ruling that the petitioner's last three arguments were errors of judgment rather than jurisdiction?
4. Did the CA correctly reject Petitioner's claims regarding the exclusive character of the properties paid after their separation?
5. Was the trial court's increase in child support justifiable?

Court's Decision

****Issue 1: Alleged Grave Abuse of Discretion by RTC Orders:****

- The Supreme Court found that the CA was correct in not finding grave abuse of discretion because the properties involved were admitted co-owned properties by both parties.

****Issue 2: Judicial Courtesy and Pending Supreme Court Case:****

- The Supreme Court resolved that since G.R. No. 180226 was already decided, the trial court was correct in not deferring its decision. The RTC's actions were within its discretion.

****Issue 3: Errors of Judgment vs. Errors of Jurisdiction:****

- CA correctly assessed these as errors of judgment, not jurisdiction, and thus outside the scope of a certiorari petition.

****Issue 4: Characterization of Specific Properties:****

- The Supreme Court clarified that properties acquired during cohabitation, such as the Ayala Alabang house and Rockwell condominium, fall under the presumption of equal co-ownership (Article 147, Family Code), regardless of payment chronology unless the presumption is rebutted with evidence.

****Issue 5: Increase in Child Support:****

- The increase in support was improper due to a change in circumstances, notably that two daughters had attained the age of majority and were not dependent on the Respondent's custody.

Doctrine

1. ****Application of Article 147, Family Code:**** Properties acquired during void marriages are presumed owned equally, reflecting co-ownership, and the care and maintenance of the family contribute to joint acquisitions.
2. ****Property Acquired During Cohabitation:**** Presumed co-owned unless disproven by evidence showing sole acquisition efforts by one party.
3. ****Partition of Co-owned Properties:**** Requires accounting, reception of evidence to determine equitable shares.

Class Notes

- ****Principles of Co-ownership:**** Equal ownership unless evidence says otherwise.
- ****Property Acquisitions' Presumption:**** Joint efforts, work, and industry presumed equally unless rebutted.
- ****Effect of Marriage Nullity:**** Retroactive to date of marriage; affects co-ownership timeline.

- ****Child Support:**** Based on actual dependency; ceases on age of majority unless special circumstances.

Historical Background

- Reflects the evolving interpretation of nullified marriages' effects on property and support obligations under the Philippine Family Code.
- Significance is drawn from giving structured guidance on handling properties and support obligations post-annulment.