

Title: **Mangonon v. Court of Appeals, et al.**

Facts:

On March 17, 1994, Ma. Belen B. Mangonon filed a Petition for Declaration of Legitimacy and Support along with an application for support pendente lite on behalf of her minor children, Rica and Rina Delgado, in the RTC Makati. Ma. Belen and Federico Delgado were civilly married on February 16, 1975, when respectively aged 21 and 19. The marriage was annulled on August 11, 1975, due to the lack of parental consent, as mandated by Article 85 of the New Civil Code. On March 25, 1976, Belen gave birth to twins Rica and Rina, who were financially unsupported by Federico and his father, Francisco, alleged to be wealthy. The petitioner claimed the financial incapacity of herself and her second husband to support the twins' education in the USA, where they had moved and settled.

Following unheeded demands for support from Federico and Francisco, the petitioner sought court intervention. The trial court declared Federico in default on June 16, 1994, but later lifted the order upon discovering improper service of summons. The trial court subsequently ordered Federico to provide P5,000 monthly support pendente lite for each child. Unsatisfied, the petitioner elevated the matter to the Court of Appeals, which affirmed the trial court's order. Ma. Belen then filed a petition with the Supreme Court seeking a higher amount of support.

Issues:

1. Whether the Court of Appeals erred in affirming the trial court's fixing of P5,000 as monthly support pendente lite for each child.
2. Whether the financial incapacity of Rica and Rina's parents merited a larger support pendente lite from their grandfather, Francisco Delgado, given his financial capability.
3. Whether Rica and Rina, now U.S. citizens, could invoke Philippine Family Code provisions on support.

Court's Decision:

The Supreme Court partially granted the petition, modifying the lower courts' decision to hold Francisco liable for support pendente lite, to be determined by the trial court.

1. **Financial Capacity Evaluation:**

- The Supreme Court found insufficient proof of Federico's financial capacity (P30,000 to P40,000 monthly). Federico failed to produce his income tax return.
- Contrarily, Francisco's substantial wealth, evidenced by his ownership and control of

several businesses, justified requiring support from him.

2. **Primary Responsibility:**

- Article 199 of the Family Code designates the primary responsibility for child support to the parents.
- Given the incapacity of Belen and Federico, the obligation devolved to Francisco as the next immediate relative.

3. **Option to Provide Support:**

- The Court declined Francisco's option under Article 204 of the Family Code to fulfill support by receiving Rica and Rina in his home, citing the strained relationship resulting from this litigation.

4. **Support Pendente Lite:**

- The Court mandated Francisco to pay half of the incurred school expenses as support pendente lite.
- Considering the possibility that Rica and Rina had completed their education already, the Court stressed awarding support in arrears, pending trial court verification.

Doctrine:

The doctrine reaffirmed that the obligation to provide support pendente lite is provisional and based on prima facie proof of filiations and financial needs, balanced against the obligor's capacity.

Class Notes:

- **Immediate Relatives' Hierarchy:** (Art. 199, Family Code)

1. Spouse
2. Descendants in the nearest degree
3. Ascendants in the nearest degree
4. Brothers and sisters

- **Options for Fulfilling Support (Art. 204, Family Code):**

1. Pay the fixed allowance,
2. Receive and maintain the person entitled to support in the family dwelling (not applicable if there's a moral or legal obstacle).

Relevant Provisions:

- **Family Code: Art. 173, 174, 195, 199, 204**

- **Rules of Court: Rule 61 (Support Pendente Lite)**

Historical Background:

This case occurred post-1987 Family Code implementation, highlighting evolving family support obligations in Philippine law. It presented substantial exploration of support obligations amidst changing social and economic contexts, cross-border family dynamics, and the interplay of procedural rules in civil petitions for support.