

FLOREND BALILA REYES, PETITIONER, VS. REPUBLIC OF THE PHILIPPINES, ARTEMIO P. REYES, VALERIANO P. RAFANAN, IN HIS CAPACITY AS MUNICIPAL LOCAL CIVIL REGISTRAR OF QUEZON, ISABELA...*G.R. No. E-03220, April 14, 2026*

Ponente: KHO, JR., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a30b4d8df6e0/>**KHO, JR., J.:**

Before the Court is a Petition for Review on Certiorari[1] under Rule 45 of the Rules of Court assailing the Decision[2] dated June 20, 2025 of the Court of Appeals (CA) in CA-G.R. CV No. 120835, which partially granted the Orders dated July 1, 2022 and October 14, 2022[3] of Branch 23, Regional Trial Court, Roxas, Isabela (RTC). Accordingly, the CA Decision upheld the change in Florenda Balila Reyes' (Reyes) name and her father's middle name and reversed the RTC Orders in so far as the change in her birth date.

The Facts

This case stemmed from a petition for correction of entries in the Certificate of Live Birth of Rolinda Sambrano Balila (Reyes' maiden name) in Registry No. 133 of the Local Civil Registry of Quezon, Isabela under Rule 108 of the Rules of Court filed by petitioner Reyes against respondents Artemio P. Reyes, Valeriano P. Rafanan, Municipal Local Civil Registrar of Quezon, Isabela, Lisa Grace S. Bersales, in her capacity as the Civil Registrar General, Philippine Statistics Authority, Quezon City, Philippines, and all other interested parties (private respondents) before the RTC. Initially, Reyes failed to implead her parents. Thus, in an Order[4] dated October 24, 2019, the RTC directed Reyes to amend her petition to conform with the procedural requirements under the existing Rules. Accordingly, Reyes filed an amended petition impleading her parents as parties, and explained that such omission was due to the fact that her parents were already deceased. After finding the petition to be sufficient in form and substance, the RTC ordered the publication of the petition in a newspaper of general circulation once a week for three consecutive weeks. Trial on the merits then ensued, wherein Reyes was presented as the sole witness.[5]

Reyes averred that while she was processing her application for her Bureau of Internal Revenue Tax Identification Number, she discovered the following erroneous entries in her Certificate of Live Birth:[6]

Entry

Erroneous Entry

Proper Entry

First Name

Rolinda

Florenda

Father's Middle Name

Agamata

Agmata

Date of Birth

January 25, 1961

December 8, 1960

Reyes argued that she had consistently used "Florenda" as her first name and "December 8, 1960" as her date of birth in all her personal dealings and transactions. Further, Reyes presented the death certificate of her father to establish that her father's real middle name is "Agmata." To support her Petition, Reyes submitted copies of her marriage contract, baptismal certificate, school records, service record, government-issued identification cards, and the death certificate of her father.[7]

On the other hand, respondents failed to present any evidence.[8]

The RTC Ruling

In an Order dated July 1, 2022, the RTC granted the petition, and accordingly, directed the Local Civil Registrar of Quezon, Isabela to correct the following entries in the Certificate of Live Birth of Reyes: (a) her first name from "Rolinda" to "Florenda;" (b) the middle name of her father from "Agamata" to "Agmata;" and (c) her date of birth from "January 25, 1961" to December 8, 1960.[9]

Undeterred, Republic moved for partial reconsideration, averring that the correction in Reyes' Certificate of Live Birth were substantial alterations which would warrant the impleading of all persons who have or claim any interest which would be affected by the correction, i.e., Reyes' siblings.[10]

In an Order[11] dated October 14, 2022, the RTC denied the motion for partial reconsideration. It found that the change in Reyes' birth date would not bring humongous effect with her civil affiliations since only 48 days will be added to her age. Further, it held that the said change was a mere correction to conform to the personal circumstances that she had known all her life.[12]

Thus, the Republic appealed before the CA.[13]

The CA Ruling

In a Decision[14] dated June 20, 2025, the CA partially granted the appeal, as follows: (a) it upheld the change in Reyes' name and her father's middle name; and (b) it reversed the RTC ruling in so far as the change in Reyes' birth date.

As regards Reyes' name and her father's middle name, the CA held that the said changes were mere typographical or clerical errors, which, under Republic Act No. (RA) 9048, as amended by RA 10172, did not divest the trial courts of jurisdiction over the petition for its correction.[15]

On the other hand, with respect to Reyes' birth date, the CA ruled that Reyes failed to implead in the petition her siblings, which are considered persons who have or claim any interest which would be affected by the correction, as required under Rule 108 of the Rules of Court. Further, it ruled that Reyes offered no explanation as to why her siblings were not impleaded in the case, nor was there an attempt on her part to bring them to court. Thus, it held

that while there are instances where the subsequent publication of notice of hearing may cure the failure to implead the affected interested parties, none of these were availing in this case.[16]

Aggrieved, Reyes filed the Petition.

The Issue Before the Court

The core issue for the Court's resolution is whether the CA erred in setting aside the correction of Reyes' date of birth in her Certificate of Live Birth due to her failure to implead indispensable parties, i.e., her siblings, in the Petition.

The Court's Ruling

The Petition is bereft of merit.

Reyes' change of date of birth is a substantial alteration under Rule 108 of the Rules, while the correction in Reyes' first name and her father's middle name were clerical or typographical errors under RA 10172, as amended by RA 9048

Rule 108 of the Rules of Court applies when the person is seeking to correct clerical and innocuous mistakes in his or her documents with the civil register. It also governs the correction of substantial errors affecting the civil status, citizenship, and nationality of a person. The proceedings may either be summary, if the correction pertains to clerical mistakes, or adversary, if it involves substantial errors. The petition must be filed before the RTC, which sets a hearing and directs the publication of its order in a newspaper of general circulation. The RTC may grant or dismiss the petition and serve a copy of its judgment to the Civil Registrar.[17]

In 2001, RA 9048 amended Rule 108 and authorized the local civil registrars, or the Consul General, as the case may be, to correct clerical or typographical errors in the civil registry, or make changes in the first name or nickname, without need of a judicial order. The law provided an administrative recourse for the correction of clerical or typographical errors, essentially leaving substantial corrections to Rule 108.[18]

Subsequently, in 2012, RA 10172, which amended RA 9048, expanding the authority of local civil registrars and the Consul General to make changes in the day and month in the date of birth, as well as in the recorded sex of a person, when it is patently clear that there was a typographical error or mistake in the entry.[19]

Here, the crux of the controversy is whether the errors that Reyes seeks to correct in her birth certificate are substantial or clerical.

Ordinarily, the term "substantial" means consisting of or relating to substance, or something that is important or essential. In relation to change or correction of an entry in the birth certificate, substantial refers to that which establishes, or affects the substantive right of the person on whose behalf the change or correction is being sought. Thus, changes which may affect the civil status from legitimate to illegitimate, as well as civil status or citizenship of a person are substantial in character. On the other hand, RA 9048, as amended by RA 10172, defines a clerical or typographical error as a mistake committed in the performance of clerical work in writing, copying, transcribing or typing an entry in the civil register that is harmless and innocuous, such as misspelled name or misspelled place of birth, mistake in the entry of day and month in the date of birth or the sex of the person or the like, which is visible to the eyes or obvious to the understanding, and can be corrected or changed only by reference to other existing record or records. However, the correction must not involve the change of nationality, age, or status of the petitioner.[20]

Applying the foregoing in this case, the correction of Reyes' first name and her father's middle name are mere clerical and typographical errors, which can be effected by the local civil registrars or the Consul General under

RA 9048, as amended by RA 10172. However, the change in Reyes' date of birth, which will also change her age, is a substantial alteration that must be corrected by filing a petition for correction of entry in the birth certificate under Rule 108 of the Rules of Court.

Reyes failed to implead her siblings who are considered indispensable parties in the petition for correction of entry in the birth certificate under Rule 108 of the Rules of Court

Rule 108, Section 3 of the Rules of Court provides:

SEC. 3. Parties. — When cancellation or correction of an entry in the civil register is sought, the civil registrar and all persons who have or claim any interest which would be affected thereby shall be made parties to the proceeding.

Clearly, all persons who stand to be affected by a substantial correction of an entry in the civil registrar must be impleaded as indispensable parties. Failure to do so renders all proceedings subsequent to the filing of the complaint including the judgment ineffectual. This requirement hinges on the fact that the books making up the civil register and all documents relating thereto may only be the facts therein contained. Indeed, if entries in the civil register could be corrected or changed through mere summary proceedings, the door to fraud or other mischief would be set open, the consequence of which might be detrimental and far reaching.[21]

In *Republic v. Maligaya*,[22] the Court set aside the correction of the respondent's date of birth in her birth certificate for her failure to implead, among others, her siblings in the petition which is required under Rule 108 of the Rules of Court.

Similar to *Maligaya*, Reyes also failed to implead her siblings in her petition for correction of the entries in her birth certificate under Rule 108 of the Rules of Court. Although it is true that in certain instances the Court has allowed the subsequent publication of a notice of hearing to cure the petition's lack/failure to implead and notify the affected or interested parties, such as when: (a) earnest efforts were made by petitioners in bringing to court all possible interested parties; (b) the parties themselves initiated the corrections proceedings; (c) there is no actual or presumptive awareness of the existence of the interested parties; or, (d) when a party is inadvertently left out,[23] these exceptions are, unfortunately, unavailing in this case.

In view of the foregoing, the Court finds no reason to disturb the findings of the CA which set aside the correction of Reyes' birth date in her birth certificate for her failure to implead indispensable parties required under Rule 108, Section 3 of the Rules of Court.

ACCORDINGLY, the Petition is DENIED. The Decision dated June 20, 2025 of the Court of Appeals in CA-G.R. CV No. 120835 is AFFIRMED.

SO ORDERED.

Leonen, SAJ. (Chairperson), Lazaro-Javier, and Villanueva, JJ., concur.
Lopez,[*] J., on official leave.

[*] On official leave.

[1] Petition for Review on Certiorari before the Court, pp. 1-19.

[2] CA Decision, pp. 1-9. Penned by Associate Justice Lorna Francisca Catris-Chua Cheng and concurred in by Associate Justices Pablito A. Perez and Lorenza R. Bordios of the Thirteenth Division, Court of Appeals, Manila.

[3] Dated October 14, 2022, pp. 1-3. Signed by Acting Presiding Judge Randy B. Bulwayan of Branch 23, Regional Trial Court, Roxas, Isabela.

[4] Dated October 24, 2019, p. 1. Signed by Presiding Judge Ariel M. Palce of Branch 23, Regional Trial Court, Roxas, Isabela.

[5] CA Decision dated June 20, 2025, pp. 1-2.

[6] Id. at 2.

[7] Id.

[8] Id.

[9] Id. at 2-3.

[10] Id. at 3.

[11] Id. at 2-3.

[12] Id. at 3.

[13] Id.

[14] Id. at 1-9.

[15] Id. at 7-8.

[16] Id. at 4-8.

[17] Republic v. Ontuca, 877 Phil. 765, 774 (2020) [Per J. Lopez, First Division].

[18] Republic v. Maligaya, 889 Phil. 435, 442 (2020) [Per J. Lopez, Second Division].

[19] Id. at 442-443.

[20] Id. at 443-444.

[21] Republic v. Timario, 875 Phil. 739, 746 (2020) [Per J. Lazaro-Javier, First Division].

[22] Republic v. Maligaya, 889 Phil. 435, 445-447 (2020) [Per J. Lopez, Second Division].

[23] Almojuela v. Republic, 793 Phil. 780, 789 (2016) [Per J. Perlas-Bernabe, First Division].

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.