MA. SOCORRO CAMACHO-REYES, PETITIONER, VS. RAMON REYES, RESPONDENT.

G.R. No. 185286. August 18, 2010

Ponente: NACHURA, J.

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NACHURA, J.:

This case is, again, an instance of the all-too-familiar tale of a marriage in disarray.

In this regard, we air the caveat that courts should be extra careful before making a finding of psychological incapacity or vicariously diagnosing personality disorders in spouses where there are none. On the other hand, blind adherence by the courts to the exhortation in the Constitution[1] and in our statutes that marriage is an inviolable social institution, and validating a marriage that is null and void despite convincing proof of psychological incapacity, trenches on the very reason why a marriage that is doomed from its inception should not be forcibly inflicted upon its hapless partners for life.

At bar is a petition for review on certiorari assailing the decision of the Court of Appeals in CA -G.R. CV No. 89761[2] which reversed the decision of the Regional Trial Court, Branch 89, Quezon City in Civil Case No. Q-01-44854.[3]

First, we unfurl the facts.

Petitioner Maria Socorro Camacho-Reyes met respondent Ramon Reyes at the University of the Philippines (UP), Diliman, in 1972 when they were both nineteen (19) years old. They were simply classmates then in one university subject when respondent cross-enrolled from the UP Los Baños campus. The casual acquaintanceship quickly developed into a boyfriend-girlfriend relationship. Petitioner was initially attracted to respondent who she thought was free spirited and bright, although he did not follow conventions and traditions.[4] Since both resided in Mandaluyong City, they saw each other every day and drove home together from the university.

Easily impressed, petitioner enjoyed respondent's style of courtship which included dining out, unlike other couples their age who were restricted by a university student's budget. At that time, respondent held a job in the family business, the Aristocrat Restaurant. Petitioner's good impression of the respondent was not diminished by the latter's habit of cutting classes, not even by her discovery that respondent was taking marijuana.

Not surprisingly, only petitioner finished university studies, obtaining a degree in AB Sociology from the UP. By 1974, respondent had dropped out of school on his third year, and just continued to work for the Aristocrat Restaurant.

On December 5, 1976, the year following petitioner's graduation and her father's death, petitioner and respondent got married. At that time, petitioner was already five (5) months pregnant and employed at the Population Center Foundation.

Thereafter, the newlyweds lived with the respondent's family in Mandaluyong City. All living expenses were

shouldered by respondent's parents, and the couple's respective salaries were spent solely for their personal needs. Initially, respondent gave petitioner a monthly allowance of P1,500.00 from his salary.

When their first child was born on March 22, 1977, financial difficulties started. Rearing a child entailed expenses. A year into their marriage, the monthly allowance of P1,500.00 from respondent stopped. Further, respondent no longer handed his salary to petitioner. When petitioner mustered enough courage to ask the respondent about this, the latter told her that he had resigned due to slow advancement within the family business. Respondent's game plan was to venture into trading seafood in the province, supplying hotels and restaurants, including the Aristocrat Restaurant. However, this new business took respondent away from his young family for days on end without any communication. Petitioner simply endured the set up, hoping that the situation will change.

To prod respondent into assuming more responsibility, petitioner suggested that they live separately from her in-laws. However, the new living arrangement engendered further financial difficulty. While petitioner struggled to make ends meet as the single-income earner of the household, respondent's business floundered. Thereafter, another attempt at business, a fishpond in Mindoro, was similarly unsuccessful. Respondent gave money to petitioner sporadically. Compounding the family's financial woes and further straining the parties' relationship was the indifferent attitude of respondent towards his family. That his business took him away from his family did not seem to bother respondent; he did not exert any effort to remain in touch with them while he was away in Mindoro.

After two (2) years of struggling, the spouses transferred residence and, this time, moved in with petitioner's mother. But the new set up did not end their marital difficulties. In fact, the parties became more estranged. Petitioner continued to carry the burden of supporting a family not just financially, but in most aspects as well.

In 1985, petitioner, who had previously suffered a miscarriage, gave birth to their third son. At that time, respondent was in Mindoro and he did not even inquire on the health of either the petitioner or the newborn. A week later, respondent arrived in Manila, acting nonchalantly while playing with the baby, with nary an attempt to find out how the hospital bills were settled.

In 1989, due to financial reverses, respondent's fishpond business stopped operations. Although without any means to support his family, respondent refused to go back to work for the family business. Respondent came up with another business venture, engaging in scrap paper and carton trading. As with all of respondent's business ventures, this did not succeed and added to the trail of debt which now hounded not only respondent, but petitioner as well. Not surprisingly, the relationship of the parties deteriorated.

Sometime in 1996, petitioner confirmed that respondent was having an extra-marital affair. She overheard respondent talking to his girlfriend, a former secretary, over the phone inquiring if the latter liked respondent's gift to her. Petitioner soon realized that respondent was not only unable to provide financially for their family, but he was, more importantly, remiss in his obligation to remain faithful to her and their family.

One of the last episodes that sealed the fate of the parties' marriage was a surgical operation on petitioner for the removal of a cyst. Although his wife was about to be operated on, respondent remained unconcerned and unattentive; and simply read the newspaper, and played dumb when petitioner requested that he accompany her as she was wheeled into the operating room. After the operation, petitioner felt that she had had enough of respondent's lack of concern, and asked her mother to order respondent to leave the recovery room.

Still, petitioner made a string of "final" attempts to salvage what was left of their marriage. Petitioner approached respondent's siblings and asked them to intervene, confessing that she was near the end of her rope. Yet, even

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respondent's siblings waved the white flag on respondent.

Adolfo Reyes, respondent's elder brother, and his spouse, Peregrina, members of a marriage encounter group, invited and sponsored the parties to join the group. The elder couple scheduled counseling sessions with petitioner and respondent, but these did not improve the parties' relationship as respondent remained uncooperative.

In 1997, Adolfo brought respondent to Dr. Natividad A. Dayan for a psychological assessment to "determine benchmarks of current psychological functioning." As with all other attempts to help him, respondent resisted and did not continue with the clinical psychologist's recommendation to undergo psychotherapy.

At about this time, petitioner, with the knowledge of respondent's siblings, told respondent to move out of their house. Respondent acquiesced to give space to petitioner.

With the de facto separation, the relationship still did not improve. Neither did respondent's relationship with his children.

Finally, in 2001,[5] petitioner filed (before the RTC) a petition for the declaration of nullity of her marriage with the respondent, alleging the latter's psychological incapacity to fulfill the essential marital obligations under Article 36 of the Family Code.

Traversing the petition, respondent denied petitioner's allegations that he was psychologically incapacitated. Respondent maintained that he was not remiss in performing his obligations to his family--both as a spouse to petitioner and father to their children.

After trial (where the testimonies of two clinical psychologists, Dr. Dayan and Dr. Estrella Magno, and a psychiatrist, Dr. Cecilia Villegas, were presented in evidence), the RTC granted the petition and declared the marriage between the parties null and void on the ground of their psychological incapacity. The trial court ruled, thus:

> Wherefore, on the ground of psychological incapacity of both parties, the petition is GRANTED. Accordingly, the marriage between petitioner MA. SOCORRO PERPETUA CAMACHO and respondent RAMON REYES contracted on December 4, 1976 at the Archbishop's Chapel Villa San Miguel Mandaluyong, Rizal, is declared null and void under Art. 36 of the Family Code, as amended. Henceforth, their property relation is dissolved.
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> Parties are restored to their single or unmarried status.
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> Their children JESUS TEODORO CAMACHO REYES and JOSEPH MICHAEL CAMACHO REYES, who are already of age and have the full civil capacity and legal rights to decide for themselves having finished their studies, are free to decide for themselves.
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> The Decision becomes final upon the expiration of fifteen (15) days from notice to the parties. Entry of Judgment shall be made if no Motion for Reconsideration or New Trial or Appeal is filed by any of the parties, the Public Prosecutor or the Solicitor General.
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> Upon finality of this Decision, the Court shall forthwith issue the corresponding Decree if the parties have no properties[.] [O]therwise, the Court shall observe the procedure prescribed in Section 21 of AM 02-11-10 SC.
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> The Decree of Nullity quoting the dispositive portion of the Decision (Sec. 22 AM 02-11-10 SC) shall be issued by the Court only after compliance with Articles 50 & 51 of the Family Code as implemented under the Rules on Liquidation, Partition and Distribution of Property (Sections 19 & 21, AM 02-11-10 SC) in a situation where the parties have properties.
>
> The Entry of Judgment of this Decision shall be registered in the Local Civil Registry of Mandaluyong and Quezon City.

> Let [a] copy of this Decision be furnished the parties, their counsel, the Office of the Solicitor General, the Public Prosecutor, the Office of the Local Civil Registrar, Mandaluyong City, the Office of the Local Civil Registrar, Quezon City and the Civil Registrar General at their respective office addresses.
>
> SO ORDERED.[6]

Finding no cogent reason to reverse its prior ruling, the trial court, on motion for reconsideration of the respondent, affirmed the declaration of nullity of the parties' marriage.

Taking exception to the trial court's rulings, respondent appealed to the Court of Appeals, adamant on the validity of his marriage to petitioner. The appellate court, agreeing with the respondent, reversed the RTC and declared the parties' marriage as valid and subsisting. Significantly, a special division of five (two members dissenting from the majority decision and voting to affirm the decision of the RTC) ruled, thus:

> WHEREFORE, premises considered, the appeal is GRANTED. The Decision dated May 23, 2007 and Order dated July 13, 2007 of the Regional Trial Court of Quezon City, Branch 89 in Civil Case No. Q-01-44854 are REVERSED and SET ASIDE. The Amended Petition for Declaration of Nullity of Marriage is hereby DISMISSED. No pronouncement as to costs.[7]

Undaunted by the setback, petitioner now appeals to this Court positing the following issues:

> I
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT RESPONDENT IS PSYCHOLOGICALLY INCAPACITATED TO COMPLY WITH THE ESSENTIAL OBLIGATIONS OF MARRIAGE.
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> II
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT PETITIONER IS LIKEWISE PSYCHOLOGICALLY INCAPACITATED TO COMPLY WITH THE ESSENTIAL OBLIGATIONS OF MARRIAGE.
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> III
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> THE COURT OF APPEALS ERRED WHEN IT DISREGARDED THE TESTIMONIES OF THE EXPERT WITNESSES PRESENTED BY PETITIONER.
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> IV
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT THE FINDINGS OF THE TRIAL COURT ARE BINDING ON IT.
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> V
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT THE TOTALITY OF THE EVIDENCE PRESENTED DULY ESTABLISHED THE PSYCHOLOGICAL INCAPACITIES OF THE PARTIES TO COMPLY WITH THE ESSENTIAL OBLIGATIONS OF MARRIAGE.
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> VI
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT THE PSYCHOLOGICAL INCAPACITIES OF THE PARTIES TO COMPLY WITH THE ESSENTIAL OBLIGATIONS OF MARRIAGE WERE ESTABLISHED, NOT MERELY BY A TOTALITY, BUT BY A PREPONDERANCE OF EVIDENCE.
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> VII
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT THE PARTIES' MARRIAGE, WHICH IS

> UNDOUBTEDLY VOID AB INITIO UNDER ARTICLE 36 OF THE FAMILY CODE, DOES NOT FURTHER THE INITIATIVES OF THE STATE CONCERNING MARRIAGE AND FAMILY AND THEREFORE, NOT COVERED BY THE MANTLE OF THE CONSTITUTION ON THE PROTECTION OF MARRIAGE.
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> VIII
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> THE COURT OF APPEALS ERRED IN NOT RULING THAT THE AMENDED PETITION WAS VALIDLY AMENDED TO CONFORM TO EVIDENCE.[8]

Essentially, petitioner raises the singular issue of whether the marriage between the parties is void ab initio on the ground of both parties' psychological incapacity, as provided in Article 36 of the Family Code.

In declaring the marriage null and void, the RTC relied heavily on the oral and documentary evidence obtained from the three (3) experts i.e., Doctors Magno, Dayan and Villegas. The RTC ratiocinated, thus:

> After a careful evaluation of the entire evidence presented, the Court finds merit in the petition.
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> Article 36 of the Family Code reads:
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> "A marriage contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations of marriage, shall likewise be void even if such incapacity becomes manifest only after solemnization."
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> and Art. 68 of the same Code provides:
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> "The husband and wife are obliged to live together, observe mutual love, respect and fidelity, and render mutual help and support."
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> Similarly, Articles 69-71 further define the mutual obligations of a marital partner towards each other and Articles 220, 225 and 271 of the Family Code express the duties of parents toward their children.
>
> Article 36 does not define what psychological incapacity means. It left the determination of the same solely to the Court on a case to case basis.
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> x x x x
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> Taking into consideration the explicit guidelines in the determination of psychological incapacity in conjunction to the totality of the evidence presented, with emphasis on the pervasive pattern of behaviors of the respondent and outcome of the assessment/diagnos[is] of expert witnesses, Dra. Dayan, Dra. Mango and Dra. Villegas on the psychological condition of the respondent, the Court finds that the marriage between the parties from its inception has a congenital infirmity termed "psychological incapacity" which pertains to the inability of the parties to effectively function emotionally, intellectually and socially towards each other in relation to their essential duties to mutually observe love, fidelity and respect as well as to mutually render help and support, (Art. 68 Family Code). In short, there was already a fixed niche in the psychological constellation of respondent which created the death of his marriage. There is no reason to entertain any slightest doubt on the truthfulness of the personality disorder of the respondent.
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> The three expert witnesses have spoken. They were unanimous in their findings that respondent is suffering from personality disorder which psychologically incapacitated him to fulfill his basic duties to the marriage. Being professionals and hav[ing] solemn duties to their profession, the Court considered their assessment/diagnos[is] as credible or a product of an honest evaluation on the psychological status of the respondent. This psychological incapacity of the respondent, in the uniform words of said three (3) expert witnesses, is serious, incurable and exists before his marriage and renders him a helpless victim of his structural constellation. It is beyond the respondent's impulse control. In short, he is weaponless or powerless

> to restrain himself from his consistent behaviors simply because he did not consider the same as wrongful. This is clearly manifested from his assertion that nothing was wrong in his marriage with the petitioner and considered their relationship as a normal one. In fact, with this belief, he lent deaf ears to counseling and efforts extended to them by his original family members to save his marriage. In short, he was blind and too insensitive to the reality of his marital atmosphere. He totally disregarded the feelings of petitioner who appeared to have been saturated already that she finally revealed her misfortunes to her sister-in-law and willingly submitted to counseling to save their marriage. However, the hard position of the respondent finally constrained her to ask respondent to leave the conjugal dwelling. Even the siblings of the respondent were unanimous that separation is the remedy to the seriously ailing marriage of the parties. Respondent confirmed this stand of his siblings.
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> x x x x
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> The process of an ideal atmosphere demands a give and take relationship and not a one sided one. It also requires surrender to the fulfillment of the essential duties to the marriage which must naturally be observed by the parties as a consequence of their marriage. Unfortunately, the more than 21 years of marriage between the parties did not create a monument of marital integrity, simply because the personality disorder of the respondent which renders him psychologically incapacitated to fulfill his basic duties to his marriage, is deeply entombed in his structural system and cure is not possible due to his belief that there is nothing wrong with them.
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> The checkered life of the parties is not solely attributable to the respondent. Petitioner, too, is to be blamed. Dra. Villegas was firm that she, too, is afflicted with psychological incapacity as her personality cannot be harmonized with the personality of the respondent. They are poles apart. Petitioner is a well-organized person or a perfectionist while respondent is a free spirited or carefree person. Thus, the weakness of the respondent cannot be catered by the petitioner and vice-versa.
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> Resultantly, the psychological incapacities of both parties constitute the thunder bolt or principal culprit on their inability to nurture and reward their marital life with meaning and significance. So much so that it is a pity that though their marriage is intact for 21 years, still it is an empty kingdom due to their psychological incapacity which is grave, incurable and has origin from unhealthy event in their growing years.
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> Both parties to the marriage are protected by the law. As human beings, they are entitled to live in a peaceful and orderly environment conducive to a healthy life. In fact, Article 72 of the Family Code provides remedy to any party aggrieved by their marital reality. The case of the parties is already a settled matter due to their psychological incapacity. In the words of Dra. Magno, their marriage, at the very inception, was already at the funeral parlor. Stated differently, there was no life at all in their marriage for it never existed at all. The Court finds that with this reality, both parties suffer in agony by continuously sustaining a marriage that exists in paper only. Hence, it could no longer chain or jail the parties whose marriage remains in its crib with its boots and diaper due to factors beyond the physical, emotional, intellectual and social ability of the parties to sustain.[9]

In a complete turnaround, albeit disposing of the case through a divided decision, the appellate court diverged from the findings of the RTC in this wise:

> On the basis of the guidelines [in Republic v. Court of Appeals and Molina] vis-à-vis the totality of evidence presented by herein [petitioner], we find that the latter failed to sufficiently establish the alleged psychological incapacity of her husband, as well as of herself. There is thus no basis for declaring the nullity of their marriage under Article 36 of the Family Code.
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> [Petitioner] presented several expert witnesses to show that [respondent] is psychologically incapacitated. Clinical psychologist Dayan diagnosed [respondent] as purportedly suffering from Mixed Personality Disorder (Schizoid Narcissistic and Anti-Social Personality Disorder). Further, clinical psychologist Magno found

[respondent] to be suffering from an Antisocial Personality Disorder with narcissistic and dependent features, while Dr. Villegas diagnosed [respondent] to be suffering from Personality Disorder of the anti-social type, associated with strong sense of Inadequacy especially along masculine strivings and narcissistic features.

Generally, expert opinions are regarded, not as conclusive, but as purely advisory in character. A court may place whatever weight it chooses upon such testimonies. It may even reject them, if it finds that they are inconsistent with the facts of the case or are otherwise unreasonable. In the instant case, neither clinical psychologist Magno nor psychiatrist Dr. Villegas conducted a psychological examination on the [respondent].

Undoubtedly, the assessment and conclusion made by Magno and Dr. Villegas are hearsay. They are "unscientific and unreliable" as they have no personal knowledge of the psychological condition of the [respondent] as they never personally examined the [respondent] himself.

x x x x

[I]t can be gleaned from the recommendation of Dayan that the purported psychological incapacity of [respondent] is not incurable as the [petitioner] would like this Court to think. It bears stressing that [respondent] was referred to Dayan for "psychological evaluation to determine benchmarks of current psychological functioning." The undeniable fact is that based on Dayan's personal examination of the [respondent], the assessment procedures used, behavioral observations made, background information gathered and interpretation of psychological data, the conclusion arrived at is that there is a way to help the [respondent] through individual therapy and counseling sessions.

Even granting arguendo that the charges cast by the [petitioner] on [respondent], such as his failure to give regular support, substance abuse, infidelity and "come and go" attitude are true, the totality of the evidence presented still falls short of establishing that [respondent] is psychologically incapacitated to comply with the essential marital obligations within the contemplation of Article 36 of the Family Code.

x x x x

In the case at bar, we hold that the court a quo's findings regarding the [respondent's] alleged mixed personality disorder, his "come and go" attitude, failed business ventures, inadequate/delayed financial support to his family, sexual infidelity, insensitivity to [petitioner's] feelings, irresponsibility, failure to consult [petitioner] on his business pursuits, unfulfilled promises, failure to pay debts in connection with his failed business activities, taking of drugs, etc. are not rooted on some debilitating psychological condition but on serious marital difficulties/differences and mere refusal or unwillingness to assume the essential obligations of marriage. [Respondent's] "defects" were not present at the inception of marriage. They were even able to live in harmony in the first few years of their marriage, which bore them two children xxx. In fact, [petitioner] admitted in her Amended Petition that initially they lived comfortably and [respondent] would give his salary in keeping with the tradition in most Filipino households, but the situation changed when [respondent] resigned from the family-owned Aristocrat Restaurant and thereafter, [respondent] failed in his business ventures. It appears, however, that [respondent] has been gainfully employed with Marigold Corporation, Inc. since 1998, which fact was stipulated upon by the [petitioner].

x x x x

As regards the purported psychological incapacity of [petitioner], Dr. Villegas' Psychiatric Report states that [petitioner] "manifested inadequacies along her affective sphere, that made her less responsive to the emotional needs of her husband, who needed a great amount of it, rendering her relatively psychologically incapacitated to perform the duties and responsibilities of marriage.

However, a perusal of the Amended Petition shows that it failed to specifically allege the complete facts showing that petitioner was psychologically incapacitated from complying with the essential marital obligations of marriage at the time of celebration [thereof] even if such incapacity became manifest only after

> its celebration xxx. In fact, what was merely prayed for in the said Amended Petition is that judgment be rendered "declaring the marriage between the petitioner and the respondent solemnized on 04 December 1976 to be void ab initio on the ground of psychological incapacity on the part of the respondent at the time of the celebration of marriage x x x.
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> x x x x
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> What is evident is that [petitioner] really encountered a lot of difficulties in their marriage. However, it is jurisprudentially settled that psychological incapacity must be more than just a "difficulty," a "refusal" or a "neglect" in the performance of some marital obligations, it is essential that they must be shown to be incapable of doing so, due to some psychological illness existing at the time of the celebration of the marriage.
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> While [petitioner's] marriage with [respondent] failed and appears to be without hope of reconciliation, the remedy, however, is not always to have it declared void ab initio on the ground of psychological incapacity. An unsatisfactory marriage, however, is not a null and void marriage. No less than the Constitution recognizes the sanctity of marriage and the unity of the family; it decrees marriage as legally "inviolable" and protects it from dissolution at the whim of the parties. Both the family and marriage are to be "protected" by the State.
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> Thus, in determining the import of "psychological incapacity" under Article 36, it must be read in conjunction with, although to be taken as distinct from Articles 35, 37, 38 and 41 that would likewise, but for different reasons, render the marriage void ab initio, or Article 45 that would make the marriage merely voidable, or Article 55 that could justify a petition for legal separation. Care must be observed so that these various circumstances are not applied so indiscriminately as if the law were indifferent on the matter. Article 36 should not be confused with a divorce law that cuts the marital bond at the time the causes therefor manifest themselves. x x x
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> It remains settled that the State has a high stake in the preservation of marriage rooted in its recognition of the sanctity of married life and its mission to protect and strengthen the family as a basic autonomous social institution. Hence, any doubt should be resolved in favor of the existence and continuation of the marriage and against its dissolution and nullity.[10]

After a thorough review of the records of the case, we cannot subscribe to the appellate court's ruling that the psychological incapacity of respondent was not sufficiently established. We disagree with its decision declaring the marriage between the parties as valid and subsisting. Accordingly, we grant the petition.

Santos v. Court of Appeals[11] solidified the jurisprudential foundation of the principle that the factors characterizing psychological incapacity to perform the essential marital obligations are: (1) gravity, (2) juridical antecedence, and (3) incurability. We explained:

> The incapacity must be grave or serious such that the party would be incapable of carrying out the ordinary duties required in marriage; it must be rooted in the history of the party antedating the marriage, although the overt manifestations may emerge only after the marriage; and it must be incurable or, even if it were otherwise, the cure would be beyond the means of the party involved.[12]

As previously adverted to, the three experts were one in diagnosing respondent with a personality disorder, to wit:

> 1. Dra. Cecilia C. Villegas
>
> PSYCHODYNAMICS OF THE CASE
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> [Petitioner] is the second among 6 siblings of educated parents. Belonging to an average social status, intellectual achievement is quite important to the family values (sic). All children were equipped with high intellectual potentials (sic) which made their parents proud of them. Father was disabled, but despite his handicap, he was able to assume his financial and emotional responsibilities to his family and to a limited

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extent, his social functions (sic). Despite this, he has been described as the unseen strength in the family.

Mother [of petitioner] was [actively involved] in activities outside the home. Doing volunteer and community services, she was not the demonstrative, affectionate and the emotional mother (sic). Her love and concern came in the form of positive attitudes, advices (sic) and encouragements (sic), but not the caressing, sensitive and soothing touches of an emotional reaction (sic). Psychological home environment did not permit one to nurture a hurt feeling or depression, but one has to stand up and to help himself (sic). This trained her to subjugate (sic) emotions to reasons.

Because of her high intellectual endowment, she has easy facilities for any undertakings (sic). She is organized, planned (sic), reliable, dependable, systematic, prudent, loyal, competent and has a strong sense of duty (sic). But emotionally, she is not as sensitive. Her analytical resources and strong sense of objectivity predisposed her to a superficial adjustments (sic). She acts on the dictates of her mind and reason, and less of how she feels (sic). The above qualities are perfect for a leader, but less effective in a heterosexual relationship, especially to her husband, who has deep seated sense of inadequacy, insecurity, low self esteem and self-worth despite his intellectual assets (sic). Despite this, [petitioner] remained in her marriage for more than 20 years, trying to reach out and lending a hand for better understanding and relationship (sic). She was hoping for the time when others, like her husband would make decision for her (sic), instead of being depended upon. But the more [petitioner] tried to compensate for [respondent's] shortcomings, the bigger was the discrepancy in their coping mechanisms (sic). At the end, [petitioner] felt unloved, unappreciated, uncared for and she characterized their marriage as very much lacking in relationship (sic).

On the other hand, [respondent] is the 9[th] of 11 siblings and belonged to the second set of brood (sic), where there were less bounds (sic) and limitations during his growing up stage. Additionally, he was acknowledged as the favorite of his mother, and was described to have a close relationship with her. At an early age, he manifested clinical behavior of conduct disorder and was on marijuana regularly. Despite his apparent high intellectual potentials (sic), he felt that he needed a "push" to keep him going. His being a "free spirit", attracted [petitioner], who adored him for being able to do what he wanted, without being bothered by untraditional, unacceptable norms and differing ideas from other people. He presented no guilt feelings, no remorse, no anxiety for whatever wrongdoings he has committed. His studies proved too much of a pressure for him, and quit at the middle of his course, despite his apparent high intellectual resources (sic).

His marriage to [petitioner] became a bigger pressure. Trying to prove his worth, he quit work from his family employment and ventured on his own. With no much planning and project study, his businesses failed. This became the sources (sic) of their marital conflicts, the lack of relationships (sic) and consultations (sic) with each other, his negativistic attitudes (sic) and sarcasm, stubbornness and insults, his spitting at her face which impliedly meant "you are nothing as compared to me" were in reality, his defenses for a strong sense of inadequacy (sic).

As described by [petitioner], he is intelligent and has bright ides. However, this seemed not coupled with emotional attributes such as perseverance, patience, maturity, direction, focus, adequacy, stability and confidence to make it work. He complained that he did not feel the support of his wife regarding his decision to go into his own business. But when he failed, the more he became negativistic and closed to suggestions especially from [petitioner]. He was too careful not to let go or make known his strong sense of inadequacy, ambivalence, doubts, lack of drive and motivation or even feelings of inferiority, for fear of rejection or loss of pride. When things did not work out according to his plans, he suppressed his hostilities in negative ways, such as stubbornness, sarcasm or drug intake.

His decision making is characterized by poor impulse control, lack of insight and primitive drives. He seemed to feel more comfortable in being untraditional and different from others. Preoccupation is centered on himself, (sic) an unconscious wish for the continuance of the gratification of his dependency needs, (sic) in his mother-son relationship. From this stems his difficulties in heterosexual relationship with his wife, as

pressures, stresses, (sic) demands and expectations filled up in (sic) up in their marital relationship. Strong masculine strivings is projected.

For an intelligent person like [respondent], he may sincerely want to be able to assume his duties and responsibilities as a husband and father, but because of a severe psychological deficit, he was unable to do so.

Based on the clinical data presented, it is the opinion of the examiner, that [petitioner] manifested inadequacies along her affective sphere, that made her less responsive to the emotional needs of her husband, who needed a great amount of it, rendering her relatively psychologically incapacitated to perform the duties and responsibilities of marriage. [Respondent], on the other hand, has manifested strong clinical evidences (sic), that he is suffering from a Personality Disorder, of the antisocial type, associated with strong sense of Inadequacy along masculine strivings and narcissistic features that renders him psychologically incapacitated to perform the duties and responsibilities of marriage. This is characterized by his inability to conform to the social norms that ordinarily govern many aspects of adolescent and adult behavior. His being a "free spirit" associated with no remorse, no guilt feelings and no anxiety, is distinctive of this clinical condition. His prolonged drug intake [marijuana] and maybe stronger drugs lately, are external factors to boost his ego.

The root cause of the above clinical conditions is due to his underlying defense mechanisms, or the unconscious mental processes, that the ego uses to resolve conflicts. His prolonged and closed attachments to his mother encouraged cross identification and developed a severe sense of inadequacy specifically along masculine strivings. He therefore has to camouflage his weakness, in terms of authority, assertiveness, unilateral and forceful decision making, aloofness and indifference, even if it resulted to antisocial acts. His narcissistic supplies rendered by his mother was not resolved (sic).

It existed before marriage, but became manifest only after the celebration, due to marital demands and stresses. It is considered as permanent in nature because it started early in his psychological development, and therefore became so engrained into his personality structures (sic). It is considered as severe in degree, because it hampered, interrupted and interfered with his normal functioning related to heterosexual adjustments. (emphasis supplied)[13]

2. Dr. Natividad A. Dayan

Adolfo and Mandy[, respondent]'s brothers, referred [respondent] to the clinic. According to them, respondent has not really taken care of his wife and children. He does not seem to have any direction in life. He seems to be full of bright ideas and good at starting things but he never gets to accomplish anything. His brothers are suspecting (sic) that until now [respondent] is still taking drugs. There are times when they see that [respondent] is not himself. He likes to bum around and just spends the day at home doing nothing. They wish that he'd be more responsible and try to give priority to his family. [Petitioner,] his wife[,] is the breadwinner of the family because she has a stable job. [Respondent]'s brothers learned from friends that [petitioner] is really disappointed with him. She has discussed things with him but he always refused to listen. She does not know what to do with him anymore. She has grown tired of him.

When [respondent] was asked about his drug problem, he mentioned that he stopped taking it in 1993. His brothers think that he is not telling the truth. It is so hard for [respondent] to stop taking drugs when he had been hooked to it for the past 22 years. When [respondent] was also asked what his problems are at the moment, he mentioned that he feels lonely and distressed. He does not have anyone to talk to. He feels that he and his wife [have] drifted apart. He wants to be close to somebody and discuss things with this person but he is not given the chance. He also mentioned that one of his weak points is that he is very tolerant of people[,] that is why he is taken advantage of most of the time. He wants to avoid conflict so he'd rather be submissive and compliant. He does not want to hurt anyone [or] to cause anymore pain. He wants to make other people happy.

x x x x

Interpretation of Psychological Data

A. Intellectual / Cognitive Functioning

x x x x

B. Vocational Preference

x x x x

C. Socio Emotional Functioning

x x x x

In his relationships with people, [respondent] is apt to project a reserved, aloof and detached attitude. [Respondent] exhibits withdrawal patterns. He has deep feelings of inadequacy. Due to a low self-esteem, he tends to feel inferior and to exclude himself from association with others. He feels that he is "different" and as a result is prone to anticipate rejections. Because of the discomfort produced by these feelings, he is apt to avoid personal and social involvement, which increases his preoccupation with himself and accentuates his tendency to withdraw from interpersonal contact. [Respondent] is also apt to be the less dominant partner. He feels better when he has to follow than when he has to take the lead. A self-contained person[,] he does not really need to interact with others in order to enjoy life and to be able to move on. He has a small need of companionship and is most comfortable alone. He, too[,] feels uncomfortable in expressing his more tender feelings for fear of being hurt. Likewise, he maybe very angry within but he may choose to repress this feeling. [Respondent's] strong need for social approval, which could have stemmed from some deep seated insecurities makes him submissive and over [compliant]. He tends to make extra effort to please people. Although at times[, he] already feels victimized and taken advantage of, he still tolerates abusive behavior for fear of interpersonal conflicts. Despite

his [dis]illusion with people, he seeks to minimize dangers of indifference and disapproval [of] others. Resentments are suppressed. This is likely to result in anger and frustrations which is likewise apt to be repressed.

There are indications that [respondent] is[,] at the moment[,] experiencing considerable tension and anxiety. He is prone to fits of apprehension and nervousness. Likewise, he is also entertaining feelings of hopelessness and is preoccupied with negative thought. He feels that he is up in the air but with no sound foundation. He is striving [for] goals which he knows he will never be able to attain. Feeling discouraged and distressed, he has difficulty concentrating and focusing on things which he needs to prioritize. He has many plans but he can't accomplish anything because he is unable to see which path to take. This feeling of hopelessness is further aggravated by the lack of support from significant others.

Diagnostic Impression

Axis I : Drug Dependence

Axis II : Mixed Personality Disorder

[Schizoid, Narcissistic and Antisocial Personality Disorder]

Axis III : None

Axis IV : Psychosocial and Environmental Problems:

Severe

He seems to be very good at planning and starting things but is unable to accomplish anything; unable to give

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priority to the needs of his family; in social relationships.

Axis V : Global Assessment of Functioning - Fair (Emphasis supplied)[14]

3. Dr. Estrella T. Tiongson-Magno

Summary and Conclusion

From the evidence available from [petitioner's] case history and from her psychological assessment, and despite the non-cooperation of the respondent, it is possible to infer with certainty the nullity of this marriage. Based on the information available about the respondent, he suffers from [an] antisocial personality disorder with narcissistic and dependent features that renders him too immature and irresponsible to assume the normal obligations of a marriage. As for the petitioner, she is a good, sincere, and conscientious person and she has tried her best to provide for the needs of her children. Her achievements in this regard are praiseworthy. But she is emotionally immature and her comprehension of human situations is very shallow for a woman of her academic and professional competence. And this explains why she married RRR even when she knew he was a pothead, then despite the abuse, took so long to do something about her situation.

Diagnosis for [petitioner]:

Axis I Partner Relational Problem

Axis II Obsessive Compulsive Personality Style with Self-Defeating features

Axis III No diagnosis

Axis IV Psychosocial Stressors-Pervasive Family Discord (spouse's immaturity, drug abuse, and infidelity)

Severity: 4-severe

Diagnosis for [respondent]

Axis I Partner Relational Problem

Axis II Antisocial Personality Disorder with marked narcissistic, aggressive sadistic and dependent features

Axis III No diagnosis

Axis IV Psychosocial Stressors-Pervasive Family Discord (successful wife)

Severity: 4 (severe)

x x x x

One has to go back to [respondent's] early childhood in order to understand the root cause of his antisocial personality disorder. [Respondent] grew up the ninth child in a brood of 11. His elder siblings were taken cared of by his grandmother. [Respondent's] father was kind, quiet and blind and [respondent] was [reared] by his mother. Unfortunately, [respondent's] mother grew up believing that she was not her mother's favorite child, so she felt "api, treated like poor relations." [Respondent's] mother's reaction to her perceived rejection was to act out--with poor impulse control and poor mood regulation (spent money like water, had terrible temper tantrums, etc.). Unwittingly, his mother became [respondent's] role model.

However, because [respondent] had to get on with the business of living, he learned to use his good looks and his charms, and learned to size up the weaknesses of others, to lie convincingly and to say what people wanted to hear (esp. his deprived mother who liked admiration and attention, his siblings from whom he borrowed money, etc.). In the process, his ability to love and to empathize with others was impaired so that he cannot sustain a relationship with one person for a long time, which is devastating in a marriage.

> [Respondent's] narcissistic personality features were manifested by his self-centeredness (e.g. moved to Mindoro and lived there for 10 years, leaving his family in Manila); his grandiose sense of self-importance (e.g. he would just "come and go," without telling his wife his whereabouts, etc.); his sense of entitlement (e.g. felt entitled to a mistress because [petitioner] deprived him of his marital rights, etc.); interpersonally exploitative (e.g. let his wife spend for all the maintenance needs of the family, etc.); and lack of empathy (e.g. when asked to choose between his mistress and his wife, he said he would think about it, etc.) The aggressive sadistic personality features were manifested whom he has physically, emotionally and verbally abusive [of] his wife when high on drugs; and his dependent personality features were manifested by his need for others to assume responsibility for most major areas of his life, and in his difficulty in doing things on his own.
>
> [Respondent], diagnosed with an antisocial personality disorder with marked narcissistic features and aggressive sadistic and dependent features, is psychologically incapacitated to fulfill the essential obligations of marriage: to love, respect and render support for his spouse and children. A personality disorder is not curable as it is permanent and stable over time.
>
> From a psychological viewpoint, therefore, there is evidence that the marriage of [petitioner] and [respondent is] null and void from the very beginning. (emphasis supplied)[15]

Notwithstanding these telling assessments, the CA rejected, wholesale, the testimonies of Doctors Magno and Villegas for being hearsay since they never personally examined and interviewed the respondent.

We do not agree with the CA.

The lack of personal examination and interview of the respondent, or any other person diagnosed with personality disorder, does not per se invalidate the testimonies of the doctors. Neither do their findings automatically constitute hearsay that would result in their exclusion as evidence.

For one, marriage, by its very definition,[16] necessarily involves only two persons. The totality of the behavior of one spouse during the cohabitation and marriage is generally and genuinely witnessed mainly by the other. In this case, the experts testified on their individual assessment of the present state of the parties' marriage from the perception of one of the parties, herein petitioner. Certainly, petitioner, during their marriage, had occasion to interact with, and experience, respondent's pattern of behavior which she could then validly relay to the clinical psychologists and the psychiatrist.

For another, the clinical psychologists' and psychiatrist's assessment were not based solely on the narration or personal interview of the petitioner. Other informants such as respondent's own son, siblings and in-laws, and sister-in-law (sister of petitioner), testified on their own observations of respondent's behavior and interactions with them, spanning the period of time they knew him.[17] These were also used as the basis of the doctors' assessments.

The recent case of Lim v. Sta. Cruz-Lim,[18] citing The Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM IV),[19] instructs us on the general diagnostic criteria for personality disorders:

> A. An enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual's culture. This pattern is manifested in two (2) or more of the following areas:
>
> (1) cognition (i.e., ways of perceiving and interpreting self, other people, and events)
>
> (2) affectivity (i.e., the range, intensity, liability, and appropriateness of emotional response)
>
> (3) interpersonal functioning
>
> (4) impulse control

B. The enduring pattern is inflexible and pervasive across a broad range of personal and social situations.

C. The enduring pattern leads to clinically significant distress or impairment in social, occupational or other important areas of functioning.

D. The pattern is stable and of long duration, and its onset can be traced back at least to adolescence or early adulthood.

E. The enduring pattern is not better accounted for as a manifestation or a consequence of another mental disorder.

F. The enduring pattern is not due to the direct physiological effects of a substance (i.e., a drug of abuse, a medication) or a general medical condition (e.g., head trauma).

Specifically, the DSM IV outlines the diagnostic criteria for Antisocial Personality Disorder:

A. There is a pervasive pattern of disregard for and violation of the rights of others occurring since age 15 years, as indicated by three (or more) of the following:

(1) failure to conform to social norms with respect to lawful behaviors as indicated by repeatedly performing acts that are grounds for arrest

(2) deceitfulness, as indicated by repeated lying, use of aliases, or conning others for personal profit or pleasure

(3) impulsivity or failure to plan ahead

(4) irritability and aggressiveness, as indicated by repeated physical fights or assaults

(5) reckless disregard for safety of self or others

(6) consistent irresponsibility, as indicated by repeated failure to sustain consistent work behavior or honor financial obligations

(7) lack of remorse as indicated by being indifferent to or rationalizing having hurt, mistreated, or stolen from another

B. The individual is at least 18 years.

C. There is evidence of conduct disorder with onset before age 15 years.

D. The occurrence of antisocial behavior is not exclusively during the course of schizophrenia or a manic episode.[20]

Within their acknowledged field of expertise, doctors can diagnose the psychological make up of a person based on a number of factors culled from various sources. A person afflicted with a personality disorder will not necessarily have personal knowledge thereof. In this case, considering that a personality disorder is manifested in a pattern of behavior, self-diagnosis by the respondent consisting only in his bare denial of the doctors' separate diagnoses, does not necessarily evoke credence and cannot trump the clinical findings of experts.

The CA declared that, based on Dr. Dayan's findings and recommendation, the psychological incapacity of respondent is not incurable.

The appellate court is mistaken.

A recommendation for therapy does not automatically imply curability. In general, recommendations for therapy are given by clinical psychologists, or even psychiatrists, to manage behavior. In Kaplan and Saddock's textbook entitled Synopsis of Psychiatry,[21] treatment, ranging from psychotherapy to pharmacotherapy, for all the listed

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kinds of personality disorders are recommended. In short, Dr. Dayan's recommendation that respondent should undergo therapy does not necessarily negate the finding that respondent's psychological incapacity is incurable.

Moreover, Dr. Dayan, during her testimony, categorically declared that respondent is psychologically incapacitated to perform the essential marital obligations.[22] As aptly stated by Justice Romero in her separate opinion in the ubiquitously cited case of Republic v. Court of Appeals & Molina:[23]

> [T]he professional opinion of a psychological expert became increasingly important in such cases. Data about the person's entire life, both before and after the ceremony, were presented to these experts and they were asked to give professional opinions about a party's mental capacity at the time of the wedding. These opinions were rarely challenged and tended to be accepted as decisive evidence of lack of valid consent.
>
> ... [Because] of advances made in psychology during the past decades. There was now the expertise to provide the all-important connecting link between a marriage breakdown and premarital causes.

In sum, we find points of convergence & consistency in all three reports and the respective testimonies of Doctors Magno, Dayan and Villegas, i.e.: (1) respondent does have problems; and (2) these problems include chronic irresponsibility; inability to recognize and work towards providing the needs of his family; several failed business attempts; substance abuse; and a trail of unpaid money obligations.

It is true that a clinical psychologist's or psychiatrist's diagnoses that a person has personality disorder is not automatically believed by the courts in cases of declaration of nullity of marriages. Indeed, a clinical psychologist's or psychiatrist's finding of a personality disorder does not exclude a finding that a marriage is valid and subsisting, and not beset by one of the parties' or both parties' psychological incapacity.

On more than one occasion, we have rejected an expert's opinion concerning the supposed psychological incapacity of a party.[24] In Lim v. Sta. Cruz-Lim,[25] we ruled that, even without delving into the non-exclusive list found in Republic v. Court of Appeals & Molina,[26] the stringent requisites provided in Santos v. Court of Appeals[27] must be independently met by the party alleging the nullity of the marriage grounded on Article 36 of the Family Code. We declared, thus:

> It was folly for the trial court to accept the findings and conclusions of Dr. Villegas with nary a link drawn between the "psychodynamics of the case" and the factors characterizing the psychological incapacity. Dr. Villegas' sparse testimony does not lead to the inevitable conclusion that the parties were psychologically incapacitated to comply with the essential marital obligations. Even on questioning from the trial court, Dr. Villegas' testimony did not illuminate on the parties' alleged personality disorders and their incapacitating effect on their marriage x x x.
>
> Curiously, Dr. Villegas' global conclusion of both parties' personality disorders was not supported by psychological tests properly administered by clinical psychologists specifically trained in the tests' use and interpretation. The supposed personality disorders of the parties, considering that such diagnoses were made, could have been fully established by psychometric and neurological tests which are designed to measure specific aspects of people's intelligence, thinking, or personality.
>
> x x x x
>
> The expert opinion of a psychiatrist arrived at after a maximum of seven (7) hours of interview, and unsupported by separate psychological tests, cannot tie the hands of the trial court and prevent it from making its own factual finding on what happened in this case. The probative force of the testimony of an expert does not lie in a mere statement of his theory or opinion, but rather in the assistance that he can render to the courts in showing the facts that serve as a basis for his criterion and the reasons upon which the logic of his conclusion is founded.

In the case at bar, however, even without the experts' conclusions, the factual antecedents (narrative of events) alleged in the petition and established during trial, all point to the inevitable conclusion that respondent is psychologically incapacitated to perform the essential marital obligations.

Article 68 of the Family Code provides:

> Art. 68. The husband and wife are obliged to live together, observe mutual love, respect and fidelity, and render mutual help and support.

In this connection, it is well to note that persons with antisocial personality disorder exhibit the following clinical features:

> Patients with antisocial personality disorder can often seem to be normal and even charming and ingratiating. Their histories, however, reveal many areas of disordered life functioning. Lying, truancy, running away from home, thefts, fights, substance abuse, and illegal activities are typical experiences that patients report as beginning in childhood. x x x Their own explanations of their antisocial behavior make it seem mindless, but their mental content reveals the complete absence of delusions and other signs of irrational thinking. In fact, they frequently have a heightened sense of reality testing and often impress observers as having good verbal intelligence.
>
> x x x Those with this disorder do not tell the truth and cannot be trusted to carry out any task or adhere to any conventional standard of morality. x x x A notable finding is a lack of remorse for these actions; that is, they appear to lack a conscience.[28]

In the instant case, respondent's pattern of behavior manifests an inability, nay, a psychological incapacity to perform the essential marital obligations as shown by his: (1) sporadic financial support; (2) extra-marital affairs; (3) substance abuse; (4) failed business attempts; (5) unpaid money obligations; (6) inability to keep a job that is not connected with the family businesses; and (7) criminal charges of estafa.

On the issue of the petitioner's purported psychological incapacity, we agree with the CA's ruling thereon:

> A perusal of the Amended Petition shows that it failed to specifically allege the complete facts showing that petitioner was psychologically incapacitated from complying with the essential marital
>
> obligations of marriage at the time of the celebration of marriage even if such incapacity became manifest only after its celebration x x x. In fact,
>
> what was merely prayed for in the said Amended Petition is that judgment be rendered "declaring the marriage between the petitioner and the respondent solemnized on 04 December 1976 to be void ab initio on the ground of psychological incapacity on the part of the respondent at the time of the celebration of the marriage x x x
>
> At any rate, even assuming arguendo that [petitioner's] Amended Petition was indeed amended to conform to the evidence, as provided under Section 5, Rule 10 of the Rules of Court, Dr. Villegas' finding that [petitioner] is supposedly suffering from an Inadequate Personality [Disorder] along the affectional area does not amount to psychological incapacity under Article 36 of the Family Code. Such alleged condition of [petitioner] is not a debilitating psychological condition that incapacitates her from complying with the essential marital obligations of marriage. In fact, in the Psychological Evaluation Report of clinical psychologist Magno, [petitioner] was given a glowing evaluation as she was found to be a "good, sincere, and conscientious person and she has tried her best to provide for the needs of her children. Her achievements in this regard are praiseworthy." Even in Dr. Villegas' psychiatric report, it was stated that [petitioner] was able to remain in their marriage for more than 20 years "trying to reach out and lending a hand for better understanding and relationship." With the foregoing evaluation made by no less than [petitioner's] own expert witnesses, we find it hard to believe that she is psychologically incapacitated within the contemplation of Article 36 of the Family

> Code.[29]

All told, it is wise to be reminded of the caveat articulated by Justice Teodoro R. Padilla in his separate statement in Republic v. Court of Appeals and Molina:[30]

> x x x Each case must be judged, not on the basis of a priori assumptions, predilections or generalizations but according to its own facts. In the field of psychological incapacity as a ground for annulment of marriage, it is trite to say that no case is on "all fours" with another case. The trial judge must take pains in examining the factual milieu and the appellate court must, as much as possible, avoid substituting its own judgment for that of the trial court."

In fine, given the factual milieu of the present case and in light of the foregoing disquisition, we find ample basis to conclude that respondent was psychologically incapacitated to perform the essential marital obligations at the time of his marriage to the petitioner.

WHEREFORE, the petition is GRANTED. The decision of the Court of Appeals in CA -G.R. CV No. 89761 is REVERSED. The decision of the Regional Trial Court, Branch 89, Quezon City in Civil Case No. Q-01-44854 declaring the marriage between petitioner and respondent NULL and VOID under Article 36 of the Family Code is REINSTATED. No costs.

SO ORDERED.

Carpio, (Chairperson), Peralta, Abad and Mendoza, JJ., concur.

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[1] Article XV, Section 2 of the Constitution.

[2] Penned by Associate Justice Celia C. Librea-Leagogo, with Associate Justices Mario L. Guarina III and Pampio A. Abarintos concurring, and Associate Justices Vicente Q. Roxas and Teresita Dy-Liacco Flores dissenting, rollo, pp. 9-45.

[3] Penned by Judge Elsa I. De Guzman, id. at 237-261.

[4] Psychiatric Report of Dr. Cecilia C. Villegas, id. at 404.

[5] The original petition was filed in July of 2001; RTC records, pp. 1-18; the amended petition, in December of the same year, id. at 87-88.

[6] Rollo, pp. 260-261.

[7] Id. at 231.

[8] Id. at 102-103.

[9] Id. at 257-260.

[10] Id. at 38-44.

[11] G.R. No. 112019, January 4, 1995, 240 SCRA 20.

[12] Rollo, pp. 33-34.

[13] Id. at 413-416.

[14] Id. at 390-397.

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[15] Id. at 372-375.

[16] Article 1 of the Family Code.

Art. 1. Marriage is a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life. x x x

[17] Rollo, pp. 243, 248-249.

[18] G.R. No. 176464, February 4, 2010.

[19] Quick Reference to the Diagnostic Criteria from DSM IV-TR, American Psychiatric Association, 2000.

[20] See Kaplan and Saddock's Synopsis of Psychiatry and Psychology Behavioral Sciences/Clinical Psychiatry (8[th] ed.), p. 785.

[21] See Kaplan and Saddock's Synopsis of Psychiatry and Psychology Behavioral Sciences/Clinical Psychiatry (8[th] ed.), 1998.

[22] Rollo, pp. 243-247.

[23] G.R. No. 108763, February 13, 1997, 268 SCRA 198, 219.

[24] Padilla-Rumabaua v. Rumbaua, G.R. No. 166738, August 14, 2009, 596 SCRA 157; Paz v. Paz, G.R. No. 166579, February 18, 2010.

[25] Supra note 18.

[26] Supra.

[27] Supra note 11.

[28] Supra note 20.

[29] Rollo, p. 43

[30] Supra note 23, at 214.

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