

Republic v. Court of Appeals and Molina:
Providing Definite Standards for the
Interpretation and Application of Article 36
of the Family Code

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42 ATENEO L.J. 381 (1998)

SUBJECT(S): *REPUBLIC V. COURT OF APPEALS AND RORIDEL
OLAVIANO MOLINA RULING*

KEYWORD(S): *PSYCHOLOGICAL INCAPACITY GUIDELINES, REPUBLIC V.
CA AND MOLINA*

This Comment discusses the Supreme Court's decision in *Republic of the Philippines v. Court of Appeals and Roridel Olaviano Molina* (268 SCRA 198 (1997)), which provided eight guidelines to help judges and lawyers alike when applying psychological incapacity as a ground for the declaration of nullity of marriage. The guidelines are meant to give clarity as to what and how psychological incapacity should be applied in actual cases. Particularly, the Comment examines whether the standards provided actually made the application of the said ground stricter and harder for spouses to procure a declaration of nullity of their marriages.