

Legal Grounds for Annulment

LACK OF PARENTAL CONSENT

If one or both parties were between 18-21 years old and married without required consent from their legal parents or guardians

PSYCHOLOGICAL OR MENTAL INCAPACITY

A psychological disorder or condition that affects a person of fulfilling the essential marital obligations required for a successful marriage

FRAUD

The deceit or misrepresentation of significant information/matters before or during marriage, such as lying about identity, pregnancy, religion, or criminal record

IMPOTENCY

The inability of a partner to engage in sexual intercourse

SEXUALLY TRANSMITTABLE DISEASE

Finding out that a spouse engaged in an affair and contracted a sexually transmitted disease (STD)

FORCE, INTIMIDATION, OR UNDUÉ INFLUENCE

Violence as a ground for relative annulment of marriage means that the marriage was entered into because one spouse or a third party exerted actual physical harm to coerce the other into marrying.

Annulment Process

1. CONSULT A FAMILY LAWYER

Seek out a lawyer experienced in family law to evaluate your case, determine if you have valid grounds for annulment, and plan the next steps.

2. PSYCHOLOGICAL EVALUATION

If the grounds include psychological incapacity (or similar), both spouses (and perhaps others) may undergo evaluation by a qualified psychologist or psychiatrist for expert testimony.

3. FILE THE PETITION

Your lawyer drafts and files the Petition for Annulment with the correct Regional Trial Court/Family Court (based on jurisdiction). The petition outlines facts, grounds, relief sought (custody, support, property), and attaches supporting evidence.

4. SERVICE OF SUMMONS & RESPONSE

Once the petition is filed, a summons is served on the other spouse (respondent) who has a limited time to respond—either contesting or not contesting the petition.

5. PRE-TRIAL AND MEDIATION

A pre-trial conference is held where parties may identify issues, attempt settlement (custody, support, property), and prepare for trial. A collusion investigation (to ensure parties aren't colluding) also takes place.

6. TRIAL PROPER

At trial the petitioner presents evidence, testimony (including expert witness if applicable), then respondent presents defence; cross-examinations occur. This stage may take a long time due to case load and complexity.

7. DECISION OF THE COURT

After all evidence and argument, the judge issues a decision granting or denying the annulment based on whether the legal grounds and evidence are sufficiently shown.

8. REGISTRATION OF THE DECISION & FINALITY

Once the decision becomes final (no further appeal or after the appeal period), the judgment is annotated in the local civil registry and the national statistics records (so the marriage is officially declared annulled and both parties may remarry).

Important Things to Know



COSTS INVOLVED

Total expenses range from P150,000 to P400,000+, depending on lawyer's fees, psychological tests, and duration.



DURATION

The process can take 1 to 3 years, depending on the court backlog and cooperation of both parties.



CHILD CUSTODY & SUPPORT

The court also decides custody and support for children after annulment.



PROPERTY DIVISION

Conjugal properties are divided equally, unless proven otherwise.



EMOTIONAL & MENTAL HEALTH

Annulment can be emotionally draining. Seek counseling or support groups to help with healing and adjustment.

Support & Resources

LEGAL HELP:

- **Public Attorney's Office (PAO):**
Provides free legal assistance to individuals who meet their qualification requirements. PAO lawyers can offer guidance on annulment procedures, help prepare documents, and represent clients in court when eligible.
- **Integrated Bar of the Philippines (IBP):**
Offers lawyer referrals, legal consultations, and access to community legal aid programs. The IBP can connect you with accredited attorneys who handle annulment and family law cases, helping you understand your rights and options.

EMOTIONAL SUPPORT:

- **Counseling services:**
Professional counselors and psychologists can help individuals and families process the emotional stress that often comes with separation or annulment. These services provide a safe space to talk, reflect, and rebuild confidence.
- **Support groups for separated individuals and families:**
Communities offer shared experiences, emotional, encouragement, and practical tips for adjusting to life changes. Support groups can help reduce isolation and create a sense of belonging during a challenging time.

For additional information, visit:
<https://bakas.site>
or scan this QR code:



Disclaimer:

This brochure is for informational purposes only and does not substitute for legal advice.

Always consult a lawyer for legal guidance.



Bakas

Understanding Annulment

A STEP-BY-STEP GUIDE