

JUDICIAL RECOGNITION OF FOREIGN DIVORCE IN THE PHILIPPINES

There is no divorce in the Philippines, but when a divorce is validly obtained abroad and initiated by the foreign spouse, the Filipino spouse shall have the capacity to remarry under Philippine law.

The foreign divorce decree must be judicially enforced or confirmed in the Philippines by filing the proper civil action at the Regional Trial Court in the Philippines (RTC-Phil). The court decision shall be registered in the Local Civil Registry Office (LCRO) where the concerned RTC-Phil functions.

The registered document shall be submitted to the Local Civil Registrar where the marriage is registered. If the marriage was registered overseas, the registered document shall be submitted to the City Civil Registry Office at the Manila City Hall (CCRO Manila).

The following documents shall be submitted to CCRO Manila in annotating a civil registry document:

- Original or Certified True Copy of the foreign judgment or order duly registered at the City Civil Registry Office at the Manila City Hall (CCRO Manila).
- Original or Certified True Copy of the Certificate of Finality of the decision of Regional Trial Court (RTC-Phil).
- Certificate of Registration of the decision of Regional Trial Court (RTC-Phil) at the Local Civil Registry Office (LCRO) where the concerned RTC-Phil functions.

After the annotation at the Local Civil Registrar's Office (LCRO), the annotated documents and its requirements must be submitted to the Office of the Civil Registrar-General (OCRG) in Manila.

For additional information on legal services, legal aid or hiring the services of a lawyer in the Philippines, kindly check the websites of the Integrated Bar of the Philippines (IBP) or the Public Attorneys' Office (PAO) in Manila.

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How can the foreign divorce be recognized in the Philippines?

Recognition is a judicial process where both the foreign divorce and the foreign divorce law need to be proven in Court. You will need to file a Petition for Recognition of Foreign Divorce with the Regional Trial Court in the Philippines. You will need to get a lawyer to prepare and conduct the case.

What are the documents you should prepare?

1. Philippine marriage certificate/record if the marriage was in the country
2. Official marriage certificate/record from the foreign country if the marriage was abroad
3. Report of Marriage of a Filipino married abroad (if one was filed with the DFA)
4. Official copies of your foreign divorce documents
5. Certified copy of the foreign country's divorce law
6. Proofs of citizenship

Note that this is a general list. Depending on the particular foreign country involved, and depending on the particular case, there may be other documents necessary. This is because different countries have different divorce processes and different kinds of marriage and divorce documents.

The foreign documents, on the other hand, will need to be certified by the correct foreign office and they will need to be authenticated (Red Ribboned) by the Department of Foreign Affairs or the Philippine embassy in the foreign country.

This Consulate can only authenticate the foreign divorce decree and the foreign divorce law if you comply with the requirements below:

For Divorce Decree/Order:

- 1) Must be issued by a Court within this Consulate's jurisdiction; AND
- 2) Must be a copy that is certified by the Clerk of Court.

For the Divorce Law:

- 1) Must be issued by a State under this Consulate's jurisdiction; AND
- 2) Must be a copy that is certified by a law librarian in that State where divorce was issued as the copy of the divorce law of that State.