

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 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:

1. Certified True Copy of the registered Foreign Court Judgment/Order/Decree duly registered at the City Civil Registry Office at the Manila City Hall (CCRO Manila).
2. Certificate of Registration of the Foreign Court Judgement/Order/Decree issued by CCRO Manila;
3. Certified Photocopy of the Court Decision recognizing the Foreign Court Judgement/Order/Decree;
4. Certified True Copy of the Certificate of Finality of the decision of Regional Trial Court (RTC-Phil);
5. Original Copy of the Certificate of Registration of the Court Decision recognizing the Foreign Court Judgement/Order/Decree;
6. Original Copy of the Certificate of Authenticity of the Court Decision recognizing the Foreign Court Judgement/Order/Decree;

After the annotation at the Local Civil Registrar's Office (LCRO) or Philippine Embassy/Consulate (in cases where marriage was solemnized outside the Philippines), the annotated documents and its requirements must be submitted to the Office of the Civil Registrar-General (OCRG) in Manila.

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.**

You will have to Execute a [Special Power of Attorney](#) at the Embassy, authorizing a representative in the Philippines to:

- a) Have the divorce decree judicially confirmed in a Philippine Regional Trial Court;
- b) Register the RTC confirmation/decision with Philippine Statistics Authority (PSA);
- c) Submit the court documents to PSA Central Office for the verification of its authenticity;

- d) Send the verified documents to Local Civil Registrar's Office (LCRO) or Philippine Embassy/Consulate (in cases where marriage was solemnized outside the Philippines);
- e) Secure from the PSA a copy of your Report of Marriage / Certificate of Marriage (if married in the Philippines) bearing the annotation of divorce

WHAT ARE THE DOCUMENTS YOU SHOULD PREPARE?

1. PSA authenticated copy of the Philippine marriage certificate/record if the marriage was solemnized in the Philippines;
2. Official foreign marriage certificate/record from the foreign country, duly authenticated by the Philippine Embassy/Consulate, if the marriage was solemnized abroad;
3. Report of Marriage of a Filipino married abroad (if one was filed with the Philippine Embassy/Consulate);
4. Official copies of your foreign divorce documents duly authenticated by the Philippine Embassy/Consulate.
5. Certified copy of the foreign country's divorce law duly authenticated by the Philippine Embassy/Consulate.
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/apostilled by the Department of Foreign Affairs or the Philippine Embassy/Consulate in the foreign country.

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

- For Divorce Decree/Order:
 1. Secure an authenticated copy (beglaubigte Kopie) of your divorce decree;
 2. Have the divorce decree **translated into English** by a registered/official translator;
 3. Bring the English translation + the original to the Landgericht and have them authenticated (Überbeglaubigung);
 4. Bring/send the 'überbeglaubigte' translation + the original to the Embassy for Authentication.

- For the Divorce Law:
 1. Must be translated to English by a Registered/Official translator; AND
 2. The English translation **MUST** be Authenticated by the Landgericht.
 3. Bring/send the 'überbeglaubigte' translation + the original to the Embassy for Authentication.

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.

INTEGRATED BAR OF THE PHILIPPINES (IBP)

IBP Building

No. 15 Julia Vargas Avenue Ortigas Center, Pasig City Metro Manila, Philippines.

Tel: (+63-2) 631-3014 or 631-3018

Website: www.ibp.ph

PUBLIC ATTORNEY'S OFFICE (PAO)

4th and 5th Floors

DOJ Agencies Building

NIA Road corner East Avenue

Diliman, Quezon City Metro Manila, Philippines. Tel: (+63-2) 929-9436

Website: www.pao.gov.ph