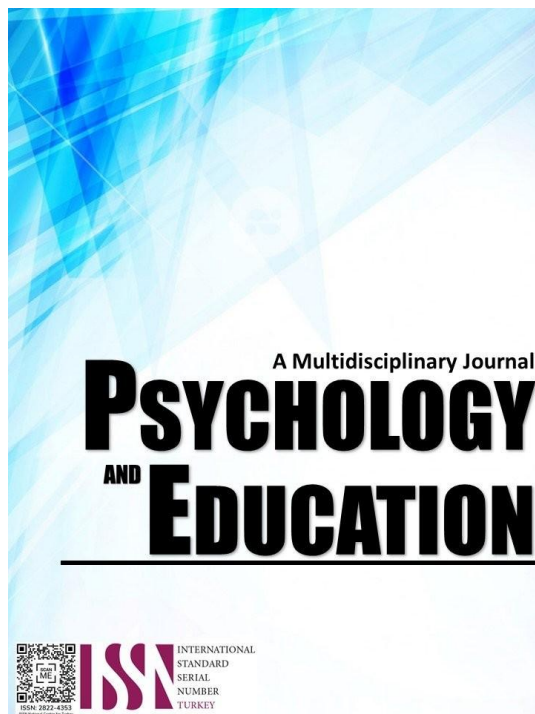


JURIDICAL ANTECEDENCE AND THE IMPLICATIONS OF PSYCHOLOGICAL EVALUATION PRIOR MARRIAGE



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Juridical Antecedence and the Implications of Psychological Evaluation Prior Marriage

John Dee N. Cisnero,* Loreto V. Borillo

For affiliations and correspondence, see the last page.

Abstract

This study examined the implications of psychological evaluation prior to marriage settlement, with particular focus on juridical antecedence, in the Eastern Part of Pangasinan. The research aimed to assess how pre-marital psychological assessments could inform legal decisions and minimize the incidence of marriage nullity. Using a descriptive research design, data were collected from three Regional Trial Courts and 139 respondents, including judges and parties involved in annulment cases filed from 2023 to 2025. The study employed a structured questionnaire checklist, weighted means, frequency counts, percentages, and Pearson's correlation to analyze relationships between juridical antecedence, psychological evaluation, and the grounds for filing a declaration of nullity. Findings revealed that judges were predominantly male, married, and Christian, with advanced legal education. Respondents indicated moderate agreement regarding the benefits of pre-marital psychological evaluation, particularly interviews with primary and secondary school teachers, while family member interviews received lower agreement. The study also found a significant positive relationship between juridical antecedence and the grounds for filing a declaration of nullity, highlighting the importance of understanding the personal and behavioral history of the parties involved. The results underscore the potential of systematic psychological evaluation in identifying underlying issues that could compromise marital stability and inform policy interventions. Based on the findings, a policy proposal was formulated to mandate psychological evaluation prior to marriage settlement. This study provides valuable insights for judges, policymakers, psychologists, and couples, emphasizing the role of pre-marital psychological assessment in promoting informed decision-making, protecting marital integrity, and reducing the prevalence of marriage nullity in the region.

Keywords: *juridical antecedence, psychological evaluation, marriage settlement, annulment, Eastern Pangasinan, pre-marital assessment*

Introduction

Marriage is one of the sacred ceremonies in the Philippines, and a couple entering into the marriage settlement must comply with the requisites of marriage. One of the requisites is the marriage license. Under the marriage license, a couple must undergo certain seminars before they receive the license to marry. Non-compliance will result in the marriage "void ab initio". Many marital issues arise after the wedding, often due to the discovery of personal or behavioral incompatibilities between spouses. To mitigate such issues, conducting a psychological evaluation by a licensed clinical psychologist prior to marriage settlement can help identify potential incompatibilities. A premarital psychological evaluation allows couples and relevant authorities to assess the parties' readiness and suitability for marital life.

Several factors influence an individual's personality, including behavioral patterns between spouses, emotional reactivity during conflicts, and overall relationship dynamics. These patterns are often transmitted across generations, highlighting the importance of understanding familial and environmental influences on behavior before entering marriage. Emphasizing multigenerational influence helps to identify potential risk factors that could affect marital stability and the likelihood of future marital conflict. Individuals can break free from unhealthy behavioral patterns and foster healthier relationship dynamics for themselves and future generations. For instance, consider a family in which the grandfather was known for a quick temper and impulsivity. His son often exhibited similar impulsive reactions under stress, and the grandson appears to demonstrate comparable behaviors despite never having met his grandfather. This illustrates the multigenerational transmission process, in which certain behavioral tendencies and emotional responses are transmitted across generations. Recognizing these inherited patterns is crucial for pre-marital psychological evaluation, as it allows couples and clinicians to identify potential risk factors that could influence marital stability.

In the Philippines, psychological incapacity under Article 36 of the Family Code serves as a ground for declaring a marriage void when a spouse is unable to fulfill essential marital obligations. To establish psychological incapacity, three criteria must be met: gravity, which must be serious and substantial; juridical antecedence, which must exist prior to the marriage; and incurability, meaning the condition is incurable. This may include a spouse's severe emotional detachment, persistent infidelity, or other personality disorders that prevent them from performing their marital duties, even if the effects become fully apparent only after the wedding.

Meanwhile, juridical antecedence requires that psychological incapacity must have existed at the time of the marriage ceremony, indicating that it is rooted in the individual's personal or behavioral history prior to the union, even if its full effects become apparent later. It is one of the core elements for declaring a marriage void under Article 36 of the Family Code.

Juridical antecedence, or the existence of the condition prior to the celebration of marriage, is a statutory requirement that must be proven by the spouse alleging psychological incapacity. Juridical antecedence is a requisite of annulment, as explicitly indicated by the

phrase "at the time of the celebration of the marriage" in Article 36, while the incapacity is determined to exist at the time of the ceremony. Although it may be difficult—if not scientifically impossible—to determine the precise moment when psychological incapacity existed, it is sufficient for the petitioner to demonstrate, by clear and convincing evidence, that the incapacity likely already existed at the time of the marriage celebration.

Currently, psychological evaluation is conducted only after the parties decide to separate and file a petition for the declaration of nullity of marriage. It is not a requirement prior to entering a marriage settlement, unlike the marriage certificate, which is mandated beforehand. If psychological evaluations were conducted before the marriage ceremony, they could help prevent future marital conflicts, reduce litigation costs, and decrease the number of annulment cases. In this way, the court can focus on the other issues or cases that need attention. This is to determine if the parties are compatible or not.

Conversely, if the parties are deemed incompatible to enter into a marriage settlement based on the findings of a clinical psychologist, they must carefully decide whether to proceed with the marriage. Such a pre-marital evaluation provides couples with evidence-based insight into their potential compatibility and highlights areas that may require intervention or counseling before formalizing the union. This study aims to inform policymakers and legislators about the current issues surrounding marital stability, emphasizing the importance of psychological evaluation before marriage. The findings may serve as a foundation for enacting laws or policies that require pre-marital psychological assessments to reduce future annulments and promote healthier, more stable marital relationships. Advocates of this perspective believe that evolutionary processes largely shape human characteristics and behaviors. They contend that genetic traits are transmitted from parents to their children, influencing the individual differences that make each person unique.

Other well-known thinkers, such as John Locke, believed in what is known as *tabula rasa*, which suggests that the mind begins as a blank slate. According to this notion, everything that we are is determined by our experiences. However, the argument of nature vs. nurture can also be made when it comes to why a person behaves in a certain way. If a man abuses his wife and kids, for instance, is it because he was born with violent tendencies, or is violence something he learned by observing others in his life when growing up? This argument illustrates the concept of juridical antecedence in marriage, highlighting how pre-existing behavioral patterns can influence marital compatibility and the assessment of psychological incapacity.

In the Eastern Part of Pangasinan, there has been a noticeable increase in cases of annulment or declaration of nullity of marriage under Article 36 of the Family Code. Findings from clinical psychologists indicate that the incapacity of a spouse is often rooted in juridical antecedence, reflecting behavioral patterns and personality traits established before the marriage. The character and behavior of the guilty spouse, most of the time, are rooted in the environment and family background he was exposed to. The Family plays a big role in the development of character, and most of the time, the guilty spouse adopts behavior that originated from the parents. Moreover, the cycle continues as the guilty spouse's character is passed from generation to generation. Most of the juridical antecedents of a guilty spouse are described as severe emotional detachment, persistent infidelity, personality disorders that prevent them from fulfilling their duties, and more.

It is imperative to conduct a study to examine juridical antecedence and its psychological implications in the dissolution of marriage, with the goal of informing policy development to address these issues. Understanding the pre-existing behavioral and personality patterns of spouses can provide valuable insights for legal and psychological interventions, potentially reducing the incidence of annulments and improving marital stability. By systematically analyzing these factors, the study aims to offer evidence-based recommendations that can guide lawmakers, psychologists, and the judiciary in implementing measures that support healthier and more stable marriages.

Research Questions

The study assessed the Juridical Antecedence and the implications of Psychological Evaluation Prior to marriage. Specifically, this study sought to answer the following problems, to wit:

1. What is the profile of the Judges in the Family Court handling Declaration of Nullity of Marriage in terms of the following variables:
 - 1.1. sex;
 - 1.2. age;
 - 1.3. civil status;
 - 1.4. length of marriage (if married);
 - 1.5. religion;
 - 1.6. highest educational attainment;
 - 1.7. branch no.;
 - 1.8. place in the eastern part of Pangasinan;
 - 1.9. total number of cases filed for declaration of nullity of marriage;
 - 1.10. total number of pending cases for declaration of nullity of marriage; and
 - 1.11. total number of cases with a decision?
2. What are the grounds and juridical antecedence of the parties who filed a case for the Declaration of Nullity of Marriage along

the following:

- 2.1. religious affiliations;
 - 2.2. severe emotional detachment issues;
 - 2.3. persistent infidelity;
 - 2.4. severe abandonment;
 - 2.5. sexual perversion;
 - 2.6. personality disorders; and
 - 2.7. irrational jealousy?
3. What are the implications of a psychological evaluation prior marriage?
 4. What policy or bill can be crafted to lessen the number of cases of Declaration of Nullity of Marriage filed in the Eastern Part of Pangasinan?

Methodology

Research Design

The descriptive research design was used in this study. According to Nassaji (2015), the goal of descriptive research is to describe a phenomenon and its characteristics. In such research, the data may be collected qualitatively, but it is often analyzed quantitatively, using frequencies, percentages, averages, or other statistical analyses to determine relationships. The descriptive method of research will be used to describe the profiles of the Judges in the Family Court in terms of (a) Branch No.; (b) Place in the Eastern Part Pangasinan; (c) Name of Judge; Total number of cases filed for Declaration of Nullity of Marriage; (e) Number of pending cases for Declaration of Nullity of Marriage; (f) Total number of cases with final decision;

Furthermore, the same descriptive method of research was used to determine implications of Psychological Evaluation before entering into marriage settlements.

Respondents

The researcher used total enumeration in determining the respondents of the study. Total population sampling is a type of purposive sampling where the whole population of interest (i.e., a group whose members all share a given characteristic) is studied. It is most practical when the total population is of manageable size, such as a well-defined subgroup of a larger population. Gleaning information from the total population often gives deeper insights into a target population than partial samples would be capable of. It has the potential to allow a researcher to paint a much more complete picture, and greatly reduces guesswork. It also eliminates the risk of biased sample selection that is often encountered in would-be random study samples.

The study's respondents involved annulment cases filed in all three (3) Family Courts in the Eastern Part of Pangasinan, namely: RTC Branch 81, Asingan-San Manuel, RTC Branch 49, Urdaneta City, and RTC Branch 16-FC, Urdaneta City, covering the seven municipalities and one city. Regardless of the number of Family Courts, only the 2023, 2024, and 2025 cases filed were identified as the source of data. In this way, the collection of data was not divergent or conflicting with one another.

Instrument

The data-gathering instrument used to gather the data for this research study was the questionnaire checklist.

The researcher crafted a tool to determine the juridical antecedents and implications of Psychological Evaluation before entering in marriage settlement (Annex 3 of the Memorandum). The researcher included only the eight (8) areas to be monitored, such as the following: (1) Religious Affiliations, (2) Severe emotional detachment issues, (3) persistent infidelity, (4) severe abandonment, (5) sexual perversion, (6) Personality disorders, and (7) irrational jealousy.

In the context of the study, the questionnaire-checklist was divided into four parts. Part I focused on the profile of the Judge in the Family Court. Part II: the juridical antecedents of the parties who filed a case for the Declaration of Nullity of Marriage. Part III - the grounds of the parties who filed a case for the Declaration of Nullity of Marriage; Part IV- the implications of Psychological Evaluation before entering into marriage settlements.

Before the data collection, the researcher, through communication letters, asked for the permission of the top management officials: the Dean of the Graduate School and the Regional Trial Courts and the concerned parties. The permission and consent of the respondents were also obtained. Having been permitted, the researcher commenced the data gathering process immediately.

Since the data gathering was adopted, the researcher did not conduct a validation of the research instrument.

Data Analysis

The data to be gathered were classified, tallied, and tabulated accordingly using the weighted means. Respondents were scored and categorized using the following scales, ranges, and descriptive equivalents. For sub-problem number 2,3 and 4, to determine the relationship among the Profile of the Family Court, the Implications of Psychological Evaluation before entering into Marriage

Settlement, Juridical Antecedence of the parties who filed a case for declaration of Nullity of Marriage based on Juridical Antecedence and Grounds of the parties who filed a case for Declaration of Nullity of Marriage, Pearson Product-Moment of Correlation (r) was employed.

Ethical Considerations

The following principles were observed throughout the course of this study. This study caused no harm to the respondents in particular and to people in general. The study does not carry actions and behaviors on self that pose a threat to the health, welfare, and being of the respondents.

This study is intended to make a positive contribution towards the welfare of the guidance counselor/designate/ coordinators. This study respects and protects the rights and dignity of its respondents. The consent process ensures that individuals are voluntarily participating in the research with full knowledge of the study's purpose, their scope of participation, relevant risks, and benefits. The researcher highly respected non-participation of respondents in this study.

This principle refers to the fair selection of respondents. This concept is demonstrated when research objectives and not membership in either a privileged or vulnerable population determine which members of communities should meet inclusion criteria to participate in this study in order to share its risks and benefits most equitably.

Confidentiality was maintained by ensuring anonymity since there were no identifiers obtained from the research respondents. The researcher recognizes each work and concept that has contributed to this study through proper citation, while the completed and collected Questionnaire was kept under lock and key.

Results and Discussion

This section of the study presents the presentation, analysis, and interpretation of data.

Table 1. *Profile of the Respondents*

<i>Variables</i>		<i>F</i>	<i>%</i>
Sex	Male	3	100.00
	Female	0	0.00
		3	100.00
Age	20-30	0	0.00
	30-40	0	0.00
	40-50	1	33.33
	50-60	1	33.33
	60-up	1	33.33
		3	100.00
Civil Status	Married	3	100
	Legally Separated	0	0.00
	Widow/Widower	0	0.00
	Annulled	0	0.00
Length of Marriage (if married)	1-10	0	0.00
	10-20	1	33.33
	20-30	1	33.33
	30-40	1	33.33
	40-50	0	0.00
	50-60	0	0.00
	60-up	0	0.00
		3	100
Religious Affiliations	Roman Catholic	2	66.67
	Iglesia ni Cristo	0	0.00
	Islam	0	0.00
	Christian	1	33.33
	Others	0	0.00
		3	100
Highest Educational Attainment	Bachelor of Laws/ Juris Doctor	0	0.00
	With Master's Degree in Law	2	66.67
	With Doctor's Degree in Law	1	33.33

Branch No.		
RTC Branch 81	1	33.33
RTC Branch 49	1	33.33
RTC Branch 16-FC	1	33.33
Place in the Eastern Part Pangasinan:	0	0.00
Total number of cases filed for Declaration of Nullity of Marriage:	139	
Total Number of pending cases for Declaration of Nullity of Marriage:	121	87.05
Total number of cases with decision:	18	12.94

Table 1 summarizes the profile of judges in the Family Court handling declarations of nullity of marriage across three branches in Eastern Pangasinan. The analysis considers variables such as sex, age, civil status, length of marriage, religion, educational attainment, and the number of cases handled.

As shown in Table 1, all respondents are male (100%), with no female judges. This finding reflects the male dominance in the judiciary in Eastern Pangasinan, which results in a higher representation of men in Family Court. As to age, most of the respondents are within 41-50 (33.33%), and it is good to note that there are 2 or 66.66% of the respondents aged 50-60 and up. This means that the respondents are in their adulthood, and these ages can be considered as “seasoned” because of their exposure to various circumstances in Court. Meanwhile, as to civil status, all respondents are married (3, 100%), with none reported as widowed or legally separated.

Additionally, judges’ length of marriage is evenly distributed: 10–20 years (1, 33.33%), 20–30 years (1, 33.33%), and 30–40 years (1, 33.33%). This suggests that the judges themselves have substantial marital experience, which may influence their perspective on cases. As to religion, two respondents (66.67%) are Roman Catholic, and one (33.33%) is Christian. This shows that all respondents are adherents of Christianity. As to the highest educational attainment, two respondents (66.67%) hold a Master’s Degree in Law, while one (33.33%) holds a Doctorate in Law.

This finding is in line with the fact that there is a huge number of cases filed for Declaration of Nullity of Marriage within the years 2023, 2024, and 2025, and there is a huge number of cases filed that are pending before the Regional Trial Court.

Further, this finding could also be attributed to the fact that all of the respondents, RTC Judges, are dominated by males, and the majority of the judges, or 66.66%, are Roman Catholics, and 33.33% are within the Christian denomination. Thus, they acquire knowledge and teachings in Christianity; specifically, Christianity considers marriage as sacred.

Lastly, all the respondents are married, and their length of married are equally distributed within 10-20 (1, 33.33%), 20-30(1, 33.33%), and 30-40 (1, 33.33%). Thus, Most of the Judges are happily married, and based on the data, they value marriage over separation.

Table 2. *Summary of Cases Filed in Regional Trial Court*

Branch	Place Covered	Total Number of Cases Filed for Declaration of Nullity of Marriage	Total Number of Pending Cases for Declaration of Nullity of Marriage	Total Number of Cases with Decision
RTC Branch 81	Asingan and San Manuel	34	29	5
RTC Branch 49	Urdaneta, Pozorrubio, San Manuel, Sison, Laoac, Manaoag,	63	54	9
RTC Branch 16-FC	Urdaneta, Pozorrubio, San Manuel, Sison, Laoac, Manaoag	42	38	4
	Total	139	121	18

Table 2 presents the number of cases filed, pending, and decided in each branch. Across the three branches, a total of 139 cases were filed, 121 cases were pending, and 18 cases had been decided. These figures highlight the workload distribution and the backlog of cases in the region.

Table 3. *The Juridical Antecedence of the Parties Who Filed a Case for the Declaration of Nullity of Marriage*

Indicators	Average Weighted Mean	DE
Religious Affiliations	4.49	STM
Severe emotional detachment issues	3.98	N
persistent infidelity	4.25	STM
severe abandonment	4.16	STM
Personality disorders	4.41	STM
Irrational jealousy	4.20	STM
Others	4.41	STM
AWM	4.27	STM

Legend: 1.00–1.74 = Very Untrue of Me (VUM); 1.75–2.49 = Untrue of Me (UM); 2.50–3.24 = Sometimes Untrue of Me (SUM); 3.25–3.99 = Neutral (N); 4.00–4.99 = Somewhat True of Me (STM); 5.00–5.99 = True of Me (TM); and 6.00–7.00 = Very True of Me (VTM)

Table 3 presents data on the juridical antecedents of parties who filed a case for the declaration of nullity of marriage. Among the indicators in the questionnaire, Religious Affiliation received the highest weighted mean of 4.49, described as “Somewhat True of Me (STM).” This suggests that religion plays a significant role in the decisions of couples who filed for a declaration of nullity. The influence of religious beliefs may affect marital expectations, conflict resolution, and the willingness to seek annulment, indicating that religious considerations are an important factor in marital stability.

In contrast, Severe Emotional Detachment Issues received the lowest mean of 3.98, described as “Neutral.” This indicates that, among the factors assessed, severe emotional detachment was considered the least significant ground for filing a case for declaration of nullity of marriage. The overall weighted mean of all indicators is 4.27, classified as “Somewhat True of Me (STM).” This suggests that, collectively, couples perceive the juridical antecedence of the parties as moderately influential in their decision to file for nullity.

Table 4. *The Grounds of the Parties Who Filed a Case for the Declaration of Nullity of Marriage*

<i>Indicators</i>	<i>Average Weighted Mean</i>	<i>DE</i>
Religious Affiliation	4.16	STM
Severe emotional detachment issues	3.86	N
persistent infidelity	4.01	STM
severe abandonment	3.92	N
Personality disorders	4.19	STM
Irrational jealousy	3.95	N
AWM	4.01	STM

Legend: 1.00–1.74 = Very Untrue of Me (VUM); 1.75–2.49 = Untrue of Me (UM); 2.50–3.24 = Sometimes Untrue of Me (SUM); 3.25–3.99 = Neutral (N); 4.00–4.99 = Somewhat True of Me (STM); 5.00–5.99 = True of Me (TM); and 6.00–7.00 = Very True of Me (VTM)

Table 4 presents data on the grounds cited by parties who filed a case for the declaration of nullity of marriage. Among the indicators, Personality Disorders received the highest weighted mean of 4.19, described as “Somewhat True of Me (STM),” followed closely by Religion, which received a mean of 4.16, also classified as “Somewhat True of Me (STM).” This suggests that personality-related issues and religious considerations are the most commonly perceived grounds for filing for nullity of marriage. These factors may significantly influence marital compatibility and the likelihood of dissolution. In contrast, Severe Emotional Detachment Issues received the lowest mean of 3.86, described as “Neutral (N),” indicating that this factor is the least cited ground among the respondents.

The overall weighted mean of 4.01, classified as “Somewhat True of Me (STM),” reflects that, collectively, respondents perceive these grounds as moderately influential in decisions to file for nullity.

Table 5. *Juridical Antecedence and Implications of Psychological Evaluation Prior Marriage*

<i>Indicators</i>	<i>Average Weighted Mean</i>	<i>DE</i>
Undergo initial assessment for psychological assessment	4.51	SWA
Conduct an Interview with immediate family members.	3.66	NAD
Conduct an Interview with neighbors	4.57	SWA
Conduct an Interview with relatives.	4.05	SWA
Conduct an Interview with friends.	4.26	SWA
Conduct an Interview with Primary School teachers	4.75	SWA
Conduct an Interview with Secondary School teachers	4.69	SWA
Conduct an Interview with College Professors	4.64	SWA
Follow up Assessment	4.17	SWA
Final Psychological Evaluation	4.05	SWA
AWM	4.33	SWA

Legend: 1.00–1.74 = Very Untrue of Me (VUM); 1.75–2.49 = Untrue of Me (UM); 2.50–3.24 = Sometimes Untrue of Me (SUM); 3.25–3.99 = Neutral (N); 4.00–4.99 = Somewhat True of Me (STM); 5.00–5.99 = True of Me (TM); and 6.00–7.00 = Very True of Me (VTM)

Table 5 presents the data gathered on the implications of psychological evaluation prior to entering into a marriage settlement. Among the indicators, conducting an interview with primary school teachers received the highest weighted mean of 4.75, described as “Somewhat Agree (SWA).” This suggests that couples place high importance on insights from teachers who are familiar with their early behavior and personality. Such evaluations provide additional confidence in assessing marital readiness compared to relying solely on relatives or neighbors. In contrast, the indicator of conducting an interview with immediate family members received the lowest mean of 3.66, described as “Neither Agree nor Disagree (NAD).” This indicates that couples were less certain or ambivalent about the relevance of family interviews for pre-marital psychological assessment, suggesting that they may perceive friends or teachers as providing more objective or informative insights. The overall weighted mean for all indicators is 4.33, classified as “Somewhat Agree (SWA).” This demonstrates that, collectively, couples generally agree on the value of conducting a psychological evaluation before marriage, highlighting its perceived importance in ensuring compatibility and reducing potential marital conflict.

Conclusions

In consideration of the facts and findings presented in the study, the researcher concludes that all respondents were male, married, holders of a master’s degree, Christian believers, and had been married for more than ten years. The overall implications of psychological evaluation before marriage settlement were found to be neutral, indicating uncertainty or ambivalence among

respondents regarding its effectiveness. Furthermore, a significant relationship exists between the juridical antecedence of the parties and the grounds for filing a declaration of nullity of marriage, underscoring the relevance of pre-existing behavioral and personality patterns in marital dissolution.

Based on the conclusions and findings of the study, the researcher recommends that judges attend advanced seminars or training programs to enhance their understanding of psychological evaluation and reduce personal biases in adjudicating cases involving the dissolution of marriage. The crafted proposed bill should be presented to relevant elected officials for review, evaluation, and possible enactment to institutionalize pre-marital psychological evaluation, strengthen marital stability, and help reduce annulment cases. Furthermore, the proposed bill should be endorsed to Congress for deliberation, calendaring, and approval. Couples are likewise encouraged to undergo pre-marital psychological assessment to evaluate compatibility, identify potential relational challenges, and improve marital preparedness before marriage. Future researchers may consider incorporating additional parameters, employing diverse research designs, and examining the challenges encountered by both couples and members of the Philippine judiciary regarding psychological evaluation before marriage.

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Affiliations and Corresponding Information

John Dee N. Cisnero

Local Government Unit

Laoac, Pangasinan, Philippines

 johndeecisnero@yahoo.com

Loreto V. Borillo, EdD

Umingan National High School

Department of Education – Philippines