



PROCESS

GETTING FROM A TO B: Seeing people through the annulment process (part 3)

In our last two issues, we reflected on the annulment process in an effort to help pastoral ministers assist people through it in more knowledgeable and effective ways. We continue that reflection now, beginning with the discussion and decision of the judges.

Once the defender of the bond has submitted a brief, the assigned judges meet to discuss the case. Like the US Supreme Court, the judges' discussion ends with a vote, and majority rules. They will decide either **AFFIRMATIVELY**, that is that the nullity of the marriage has been proven, or **NEGATIVELY**, that is that the nullity of the marriage has not been proven, in regards to the specific grounds, or reasons being considered for the potential nullity of the marriage. If the judges are considering multiple grounds, it may happen that the judges decide affirmatively for some

but negatively for others. As long as the judges rule affirmatively on at least one of the grounds, the marriage is declared null.

One of the judges, called the *ponens*, will write the full decision on behalf of all the judges. A summary of the decision will then be sent to both parties and the defender of the bond, giving all of them fifteen days to appeal the decision if they have sound canonical reasons for objecting to it. The parties may also request a copy of the full decision, which they can pick up in person at the tribunal after signing a confidentiality agreement. The sole purpose of providing a copy of the decision to a party who requests it is to assist him or her regarding an appeal, not to use as ammunition in his or her ongoing war with the other party in any other forum.

If a party appeals the decision, he or she must designate to which tribunal he or she wishes us to send the appeal. Our ordinary appellate tribunal is the Metropolitan Tribunal of the Archdiocese of Philadelphia, but parties always have the right to appeal the case directly to the Roman Rota, the supreme appellate tribunal of the

Roman Catholic Church. The appellate tribunal will manage the case from there and render a decision regarding the appeal.

If no one appeals the decision within the fifteen day time limit, the decision automatically takes effect. A final letter will then be sent to the parties informing them of this. If the decision is affirmative, the parties will be free to marry in the Catholic Church, all other requirements of the law being observed. If it is negative, the parties remain bound by the marriage in question and are not free to marry. In such a case, the validity of the marriage can still be challenged on other grounds not yet considered by the tribunal if one of the parties chooses to do so.

That's it for now. We will conclude our review of the annulment process in the next exciting issue, looking specifically at the *vetitum*. Until then, keep the faith, love God's people, and always honor the code!

