



PROCESS

GETTING FROM A TO B: Seeing people through the annulment process (part 2)

In our last issue, we began our reflection 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 citation of witnesses.

Both parties have the opportunity to provide witnesses to corroborate their claims about the marriage in question. The annulment process is a legal process, which means that any claims made by the parties must be proven according to the rules of evidence, not simply asserted. While it can be difficult to secure witnesses for an annulment case, especially if the marriage took place many years ago, supportive witness testimony goes a long way toward proving the veracity of a party's claims. Pastoral ministers are therefore urged to assist the parties in identifying and securing good

witnesses, those who knew the parties at the time of consent (the wedding) and are able and willing to offer substantive testimony to assist the parties in making their case. At times, especially if material witnesses like those above are hard to find, the testimony of character witnesses, who can attest to a party's credibility, may also be helpful.

The tribunal may also call on the testimony of expert witnesses not named by either party. Depending on the grounds upon which the case will be decided, these are typically psychological experts, who provide their professional opinion about the psychological state of the parties at the time of consent based on a thorough review of the evidence provided. The testimony of psychological professionals who have counseled the parties may also be sought if available.

Once the testimony of the witnesses has been received and no other evidence is forthcoming or needed, the presiding judge in the case will invite the parties to review the evidence provided through a process called publishing the acts of the case. The parties are not required to review the acts, but both

parties are invited to do so and to offer any additional evidence they may have to support their case.

Once the parties have done so or the time period for doing so (10 days) has passed, the judge ends the time for collecting evidence by a decree of conclusion. We then send the entire case file to a special member of our staff called the defender of the bond. Because the institution of marriage is so important, the Church requires that every annulment case be evaluated by a trained professional whose job is to make sure that every reasonable argument against the invalidity of the marriage in question has been made. That professional is the defender of the bond, who submits a summary opinion, called a brief, to the judges for their consideration.

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

