



### PLAYING OUR POSITIONS PART 3: THE STAFF

Concluding our series on the various positions in the Office of the Tribunal and Matrimonial Concerns, we turn this month to the support staff: the auditor, the notary, and the defender of the bond.

The auditor in the annulment process has nothing to do with inspecting financial records. Rather, the auditor is a “listener” whose primary responsibility is to assist the judges by gathering and organizing evidence. The bulk of the evidence is the testimony of the parties and witnesses. The auditor gathers this testimony through oral interviews, which are then transcribed, and by compiling documents, such as testimony submitted in writing. The auditor also monitors the progress of cases and keeps the judges informed as to each case’s status. Finally, the auditor fields questions from people who contact the tribunal, answering those she can and directing those she cannot to the judges.

Much like in civil law, the notary is an official witness who verifies the authenticity of documents in the annulment process by signing and dating them. This primarily concerns the procedural acts of a case, official decrees issued by the judicial vicar or judges that advance cases through their various stages or decide some other matter relevant to a case. It may also include copies of official documents, such as marriage records, when it is difficult to include the original in the case file. The notary also serves as a secretary, assisting the judges and auditor by transcribing testimony, producing and organizing paperwork, and answering phone calls.

The defender of the bond serves a purpose unique to the annulment process. For obvious reasons, which we will explain anyway, the annulment process is not legally neutral. Every case begins with the presumption that the marriage is valid, and the burden is on the Petitioner to prove otherwise. To see why this is so, just imagine if the alternative were true: the validity of every marriage would be presumed to be in doubt until proven otherwise. No one would be certain of his or her marital status unless he or she went through the annulment process.

The permanence and exclusivity integral to the God-given meaning of marriage would be swallowed up in a maelstrom of constant confusion. That is why the presumption of marriage’s validity is essential to preserving its integrity, and the defender of the bond’s chief role is to support that presumption by offering the judges all reasonable arguments against the nullity of a marriage. She does this primarily by submitting a short legal opinion near the end of the case called a brief. The defender of the bond is active throughout the process, however, ensuring that the law is followed and the dignity of marriage is preserved from legal abuses. Finally, like the parties in the case, the defender of the bond has the right to challenge a decision once it has been rendered by the judges.

That’s it for our series on tribunal personnel. We hope we have helped you learn a little more about who we are and what we do. Until next time, keep the faith, love God’s people, and always honor the code!

