TRIAL PROCESS FOR MARRIAGE CASES

INTRODUCTION

- 1. PQ received – Formal Paperwork mailed
- 2. Presentation of Petition
  - Paperwork complete
  - Competence Confirmed
  - Grounds Confirmed and /or Proposed
  - Judicial Expenses paid or waived
- 3. Notification of Parties

CONTESTATIO LITIS (Joinder)

- 4. Formulation of Doubt – Grounds to be investigated are confirmed
  - Respondent is cited or declared absent

INVESTIGATION (Proofs/Documents)

- 5. Citation of witnesses
- 6. Additional witnesses if necessary
- 7. Interrogation of Petitioner and Respondent (if participating)
- 8. Citation of Court Appointed Expert when required.
- 9. Evaluation of Evidence & possible change of grounds

PUBLICATION

- 10. Petitioner, Respondent and Advocate are invited to the Tribunal to review evidence and provide a statement or rebuttal. It is not mandatory, but advisable.

CONCLUSION

- 11. The Judge has concluded that there is sufficient evidence to adjudicate the case. The investigation is closed to any further evidence.

DEFENSE

- 12. Defender of the Bond of marriage reviews the case and provides a report defending the marriage.

PUBLICATION OF DECISION

- 13. The Judge writes the decision (sentence) as Affirmative or Negative and the parties are notified and have 15 days to request an appeal.
- Right to review the Sentence
- Right to appeal the Sentence

CHALLENGE OF SENTENCE

- Full Appeal (Philadelphia or Roman Rota)

EXECUTION OF SENTENCE

- 14. If Affirmative – the Decree of Declaration of Nullity is sent to the parties and to the Advocate
- Restrictions for new marriage possible.
  - Vetitum or Monitum

REGISTER

Recording of Nullity sent to Church of Baptism and Church of Marriage