

# Tribunal Quarterly

Issue  
ONE

## 2014-2015 Advocate Training Program



### Quote

*"But you should also learn to understand and – dare I say it – to love canon law, appreciating how necessary it is and valuing its practical applications: a society without law would be a society without rights. Law is the condition of love."*

Pope Benedict XVI in a 2010 letter to seminarians

### Canon Law Events

The 77th Annual CLSA Convention will be hosted at the Westin Convention Center Pittsburgh in Pittsburgh, Pennsylvania. For more information go to [www.clsa.org](http://www.clsa.org)

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## The Role of the Advocate

**Advocate Program approved 111 Advocates for the Archdiocese**

The 2014-2015 Advocate Training Program was concluded on May 2nd 2015. We are grateful for the exceptional participation in this program. One of the aspects of our work is to communicate with you and to help you help the Petitioner or the Respondent. With this in mind we will start this Quarterly Newsletter. Your feedback on this is welcomed as we strive to provide you with information that is most important to you.

As we begin the application of these newly established procedures, it is our hope that this will improve the time and quality of the Formal Petition for Marriage Nullity. One of the most important roles of the advocate is to explain the Church's teaching on the Declaration of Nullity and the process that must be followed for this investigation. As an Advocate, you will help the Petitioner or Respondent to present his/her case striving to insure that the court arrives at the truth. You will help them determine the grounds for the petition of nullity as well as to draft the libellus, determine pertinent proofs and help select witnesses.

At the time of the Publication of the Acts, it is important that you accompany them during the review of the Acts, as you will have access to information that is not readily available to them.

Finally, the most important thing is that you accompany them through the entire process keeping them informed and helping them through the various stages as well as healing from the wounds of the broken relationship and growing in a personal relationship with Jesus Christ through our mother the Church. In the end, *salus animarum suprema lex* – the salvation of souls is the supreme law.

### *Salus Animarum Suprema Lex*

**The Salvation of Souls is the Supreme law!**



## Potential, Pending and Active FORMAL Cases at the END of 2014 by Deanery

DEANERY	# of Formal PQs Introduced by Deanery	% per Deanery	# of Cases where we received Formal Petition/100 questions/libellus	% of Cases where we received Formal Petition/100 questions/libellus	# of Approved Advocates Per Deanery	Potential Cases per Advocate
Aurora	71	8%	34	48%	6	5.67
Boulder	74	8%	40	54%	10	4.00
E Denver	53	6%	30	57%	12	2.50
E Plains	6	1%	4	67%	3	1.33
Fort Collins	72	8%	43	60%	6	7.17
Greeley	61	7%	26	43%	11	2.36
N Denver	137	15%	61	45%	13	4.69
SE Denver	107	12%	49	46%	12	4.08
SW Denver	115	13%	56	49%	9	6.22
W Denver	130	15%	67	52%	18	3.72
W. Slope	27	3%	12	44%	2	6.00
WC Denver	37	4%	17	46%	9	1.89
<b>Totals</b>	<b>890</b>	<b>100%</b>	<b>439</b>	<b>49%</b>	<b>111</b>	

# Tribunal 2014 Statistics...

At the tribunal at the beginning of each year we are required to generate the "Rome Report". In preparing this report, we were able to produce the following statistics by deanery. One of the interesting numbers that was generated was the percentage of total cases where the *libellus* or formal petition/100 questions was submitted. This number is 49 percent which is of great significance because it demonstrates that in 51% of all the formal Preliminary Questionnaires submitted in current or previous years there was no follow up from the Petitioner. We are all familiar with all the reasons for this; however, this is a great opportunity to minister to these people who are interested in returning to full communion with the Catholic Church. As part of the formation for Advocates, we stressed and continue to stress how important it is for you to accompany the Petitioner through the entirety of the process.

## ASK THE CANONIST...

### What is the impediment of *ligamen* (prior bond)?

According to canon 1085 par. 1, "A person bound by the bond of a prior marriage, even if it was not consummated, invalidly attempts marriage." The indissolubility and fidelity which define marriage prevent a person—Catholic or non-Catholic—from validly marrying again *as long as the bond of marriage exists*. While the death of a spouse dissolves a valid bond of marriage (and thus removes the impediment to a new marriage), a declaration of nullity does not. A declaration of nullity states that *there never was a valid bond*. This is why we say "declaration of nullity" instead of "annulment"; the Church does not make the marriage invalid but declares it to have always been so. This distinction is crucial because it affects whether the impediment of *ligamen* existed or not. The impediment of *ligamen* only arises from a valid marriage, not one that is invalid. Consider the following example.

John, a non-Catholic, married Mary, a non-Catholic, in a civil ceremony. They divorced and John married Jane, also a non-Catholic, in a civil ceremony. John is in RCIA and has petitioned for the nullity of his marriage to Mary, who is still alive. Although the Tribunal eventually grants a declaration of nullity of John's marriage to Mary, his marriage to Jane is *now* presumably *valid*. It was illicit for him to marry Jane before the nullity of his marriage to Mary was established (c. 1085 par. 2) but not invalid." The Tribunal's declaration of nullity establishes that, in fact, John was free to marry Jane when he did. There was no impediment of *ligamen*. Since neither he nor Jane were Catholic at the time of their wedding, the civil form of marriage was valid, too. Therefore, when John comes into the Church, he does not need to convalidate his marriage to Jane.

## Meet our new Canonist



**Mr. Steven Hancock** earned his licentiate in canon law at St. Paul University in Ottawa, Ontario, Canada, at the same time receiving a master's degree in canon law from the University of Ottawa. Mr. Hancock is also an

accomplished civil attorney having earned his *Juris Doctor* at William Mitchell College of Law in Saint Paul, Minnesota, and he is a certified civil mediator and arbitrator. He and his wife, Jean, a retired police officer and paramedic, have relocated to Colorado with their family and have ten children. Mr. Hancock serves as a Judge at our Tribunal. A **Judge** is a canon lawyer who shares in the exercise of the Archbishop's judicial authority. Under the supervision of the Judicial Vicar, the Judge serves on a Court with two other Judges, and this Court issues decisions (known as "definitive sentences") concerning marriage nullity cases. When assigned as *Ponens*, the Judge is responsible to direct the marriage nullity investigation and draft the definitive sentence for the other Judges' consideration. In addition, he may provide canonical advice and assistance in other matters to the Archbishop, the Judicial Vicar, and, at their discretion, to the Archdiocesan staff, clergy and lay persons in response to needs as they arise.

## In The Next Issue

Employee Profile

Ask the Canonist

Advocate Training on-line



## MISCELLANEOUS ITEMS FROM OUR STAFF

1. Advocates cannot be witnesses for a case that they serve as advocate.
2. Processing fee for a case presented now is \$550.00 not \$450.00.
3. Check the facts before you send in a PQ
4. Please give us feedback on our newsletter & website