

# Annulment Changes Long Time in Study

By FR. ROBERT A. GRAHAM

Vatican City — (RNS)—Few recent papal innovations have more personal impact or interest for individual Catholics than the new regulations speeding up marriage annulments.

For years, complaints have been voiced by bishops and especially couples concerned about the excruciating slowness of matrimonial courts.

The apostolic instruction (motu proprio) of Pope Paul issued on June 10 bears the sub-title, "Determining Norms for Expediting Marriage Cases."

By simplifications of former procedures, it is intended not only to shorten the time but also to extend to a wider area of the Catholic community the possibility of annulment and also to cut down drastically the high costs of matrimonial trials. The new provisions go into effect in early October.

The papal decree is in effect a new law and supplants provisions laid down in the Canon Law promulgated in 1917 by Pope Benedict XV. It is solely a simplification of the procedures and does not change the grounds for nullity.

A speedup is accomplished in these ways: (1) the tribunals or courts in which the case may be heard are widened to include nearly any locality relating to the case; (2) the number of judges at all levels may, if necessary, be reduced from the present panel of three to a one-man tribunal; (3) appeals against the decree of nullity, instead of requiring a full repetition of the earlier process, may be simply confirmed after an examination of the record only, and the defender of the matrimonial bond is allowed the discretion of not appealing further; (4) what are called "special cases" involving invalidating or diriment impediments, but which hinge on simple ascertainable facts, such as age, consanguinity or impotence, need no longer be passed through judicial channels. Instead, a statement of nullity may be pronounced by the local bishops on the presentation of proper documentation. The same applies where there has been a lack of canonical form.

In presenting the papal directive to the press, the secretary of the Pontifical Commission for the Revision of the Code of Canon Law, the Spanish Jesuit, Father Raymond Bidagor said: "It cannot be ignored in fact that canonical trials for various reasons had become long and sometimes perhaps too minute and that the excessive prolongation of the cases had aggravated the spiritual condition of many children of the Church who

have the duty, and especially the right, to know what their conscience duties are in their matrimonial status."

Pope Paul, in his own introduction, admits that the number of cases of appeals for Church annulments has increased in recent times. He linked this with regret to the signs of a decrease in the sense of the sacred nature of the law on which the Christian family is based. He also linked it to present day social and economic conditions.

The Church, while wishing to safeguard the firmness of the marriage bond, at the same time desires, in the words of the pontiff, by laying down opportune norms, "that the spiritual well being of many of her

sons and daughters may not be damaged by the excessive lengthiness of matrimonial processes."

The Italian press, particularly the newspapers actively backing the divorce law now being challenged by a possible popular referendum, saw in the new regulations an attempt to "compete" with lay divorce.

In his press conference, Father Bidagor insisted that the new decree contemplates the whole world situation and is couched in the broadest possible terms in order to leave wide room for local adaptations. He recalled that the project to simplify the procedures dates from before the second Vatican Council, when the preparatory commission already, on the de-

mand of many bishops, had undertaken a study of the problem.

A significant change is the provision by which a layman—the text makes it clear that it does not include a woman—may be named as one of the three judges, as Father Bidagor pointed out. This is an innovation in Canon Law, in that for the first time a non-ecclesiastic is empowered to exercise Church jurisdiction, that is to pronounce a canonical sentence.

As for the role of women, the motu proprio says explicitly that the office of notary may be performed by a woman. Canonical experts say here in Rome, however, that the door is now half-open for women functioning also as judges.

## Pre-Cana Re-Route

Pre-Cana Conferences scheduled for St. Francis of Assisi parish center will be held at the CYO ballroom, 50 Chestnut St. Times remain the same. First conference affected will be the one scheduled for July 11.

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Thursday, 8 P.M.

by Father Albert Shamon

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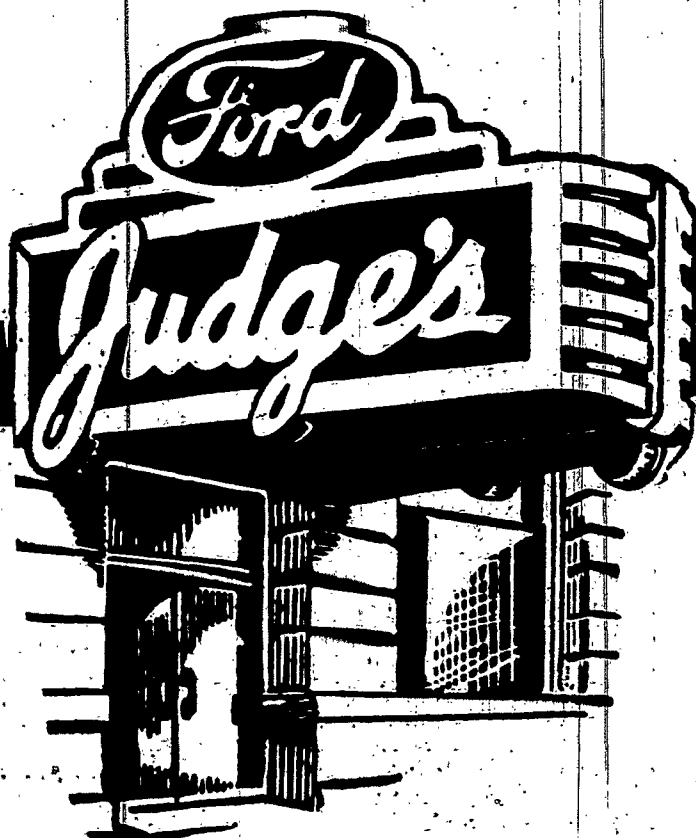
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## New Bishop Has Local Ties

Bishop John J. Fitzpatrick, installed as ordinary of the Brownsville, Tex., diocese last week has several relatives in the Rochester diocese.

His aunt, Mrs. Marjorie Fitzpatrick lives on Mulberry Street in Rochester and a first cousin, Michael Fitzpatrick on Warwick St.

Another cousin, Harry Fitzpatrick, lives in Hilton and a niece, Patricia Laffler, in Gates.

Bishop Fitzpatrick had been auxiliary bishop in Miami, Fla.

### THURSDAY DEADLINE

Remember that the news and photo deadline for the Courier-Journal is Thursday noon for the following week's newspaper.