

DIOCESAN NEWS

Changes improve flow at backlogged tribunal

By Mike Latona
Staff writer

Diocesan Tribunal officials have announced that staffing increases have led to a sharp reduction in delays for cases.

People requesting an annulment — a declaration that due to conditions at the time of the wedding no valid marriage took place — now typically face a 10- to 12-month wait, said Casey Lopata, tribunal administrator. An 18-month wait was common up until last year, he said.

Lopata added that the office had reduced its backlog from 319 cases in April 1998 to 98 cases by February 1999.

In addition, Lopata said, the time frame from receipt of application to opening of a case had dropped from 7.8 months in July 1998 to 2.9 months in January 1999. The tribunal hopes this delay will soon be "no more than a month," said Father Louis Sirianni, judicial vicar for the tribunal.

Because of an increasing caseload, budgeting for the tribunal has more than doubled in the past two years. Lopata said that the office's budget is \$398,000 for the fiscal year ending June 30, 1999, compared to \$193,000 for the year ending June 30, 1997. Funding, Lopata said, is derived primarily from petitioners' fees and the Thanks Giving Appeal.

The tribunal currently employs 12 full-time and three part-time employees, compared to five full-time and four part-time employees in 1997.

Father Sirianni said the tribunal's backlog woes began after "user-friendly" changes were made in September 1996, thus creating an increase in petitioners. One of the changes, he said, was a new ap-

plication form in which extensive marital history was eliminated. Petitioners are now only required to briefly describe reasons why they feel the marriage is invalid.

The backlog had become so lengthy, Father Sirianni said, that many petitioners were forced to put church wedding plans on hold as they awaited decision from the tribunal about their previous marriage.

"Justice delayed is justice denied," Father Sirianni commented.

In addition, he said, frustration over these delays may have caused potential petitioners to abandon hope of getting married in the Catholic Church.

"The feeling was that people would stop using this process and go off on their own," Father Sirianni remarked.

Lopata's hiring in mid-1998 played a significant part in reducing time delays, Father Sirianni noted. Explaining that he had previously handled many of Lopata's duties, Father Sirianni said that he now devotes himself to judging, rather than administrative matters.

Lopata worked part-time for the tribunal last summer before going full-time in September. He is a retired program manager for Xerox Corporation. In addition, Lopata and his wife, Mary Ellen, volunteer as co-directors of the diocesan Catholic Gay and Lesbian Family Ministry.

The tribunal's higher budget will result in a cost increase for petitioners. As of March 31, the fee for each new case will rise from \$325 to \$350. Also on that date, petitioners can opt — for the first time — to pay by credit card.

The tribunal's cost to process each case is about \$700. However, Lopata and Father Sirianni emphasized, the diocese will con-



Greg Francis/Staff photographer

Words of devotion

Father Benedict J. Groeschel, left, signs a copy of his book, *A Priest Forever*, for Rita Schwalb after noon Mass at Blessed Sacrament Church, Rochester, March 11. A Franciscan Friar of the Renewal and frequent guest on EWTN, Father Groeschel led the parish's Lenten mission, "Growing in the Love of Our Lord Jesus Christ," March 6-11, drawing a reported 400-500 people for evening sessions. Brother Anthony Baetzold, center, a Hilton native, was traveling with him.

tinue its policy of sharing that expense with petitioners. They added that nobody will be turned away for lack of ability to pay.

The tribunal staff will remain at its current size for the remainder of 1999, Lopata said. He predicted that staffing will decrease by June 2000, when the backlog will have decreased enough that priests who currently assist in the office will no longer be needed. There are currently about 500 cases in process, Lopata said.

Despite the new time-shortening measures, Lopata said that petitioners shouldn't automatically expect that their annulment process will be quickened. For example, he said, the length of a case can

hinge on the "lateness of material coming in, of witnesses coming in."

Most marriage nullity cases surround lack of complete consent — as required by canon law — by one or both parties at the time of the wedding. Some potential conditions that lead to nullity include emotional immaturity; psychological incompetence; error surrounding a spouse's identity; and marriages that have occurred out of deceit, force or fear.

Lopata warned that petitioning for an annulment through the tribunal does not guarantee a marriage will be found invalid.

"The payment is for the service. Occasionally, people think it's for the decision," he said.

Churches want zoning laws to restrict adult clubs

By Rob Cullivan
Staff writer

In the wake of failed efforts to stop a nude juice bar from opening in Rochester, Interfaith Action, a federation of 14 area churches, plans to ask the city to amend its zoning laws to contain the growth of similar establishments.

Interfaith Action's plans developed after a federal judge announced March 8 that C&A Playmates would be allowed to open a nude, non-alcohol, juice bar called Tiffany's, at 1485 Mt. Read Blvd. The bar will reportedly open the week of March 22.

Interfaith Action includes members of Most Precious Blood and Holy Rosary churches who have been fighting the bar's opening since late last year. The federation planned to send a delegation to a Rochester City Council meeting March 16 to request a moratorium on adult establishments, Interfaith Action members said.

Efforts by Interfaith Action last summer helped dissuade two business partners from opening a strip bar serving alcohol at

the same spot, which is in a manufacturing zone. In January, hundreds of area residents opposed to the nude juice bar showed up at a Rochester Planning Commission meeting; the commission voted 6-0 to block the bar's opening.

However, the bar's owners subsequently sued the city, and on March 8, U.S. District Judge Charles J. Siragusa announced that the city had conceded it could not constitutionally stop the bar from opening. The city government will pay \$10,000 in damages to cover the legal fees of C&A Playmates, the judge said.

The city had initially maintained that adult entertainment establishments needed a special permit to operate. However, a federal court had struck down a similar special permit law in Henrietta in 1994. And this time around, Judge Siragusa noted, Rochester conceded its own special permit law was unconstitutional as well.

Linda S. Kingsley, Rochester's corporation counsel, said the city had hoped that another federal court might rule special permit laws for adult businesses constitutional, but no such case emerged, she said.

James Patrick-Maxwell, president of Interfaith Action and a Holy Rosary parishioner, said he and his neighbors were disappointed over the city's loss. He added that many neighbors were upset that city officials conceded they had known for

years the special permit law was unconstitutional.

"If they had told us, we could have come up with another tactic," he said. "By letting it go like this, (the city) is opening up the floodgates for these establishments to open wherever they want."

Kingsley said she understood the residents' frustration with the city. But she claimed city officials did indicate to the residents that the city might not be able constitutionally to stop the nude bar. She added that over the next two years, the city will be revamping its zoning laws, and will examine where it must allow adult businesses.

Kingsley also said that the city can monitor the new nude juice bar, and can shut it down if it becomes a public nuisance.

"If it attracts all the things that are the neighbors' fears — prostitution, sexual activity, drug activity — these things are not protected by the constitution," she said.

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The *Catholic Courier* is looking to honor couples who are celebrating "Milestone" anniversaries in 1999.

Couples who marked or will mark 25, 50, 60, 65, 70, 75, 80 or 85 years of marriage in 1999 will be listed in the special Milestones/Vocations issue April 22.

Please send the following information:

Full names of husband and wife;
Date of wedding;
Church and city where married.
Also include a telephone number should questions arise.

Deadline for submission is April 2.
Send all information to: *Catholic Courier*, P.O. Box 24879, Rochester, N.Y. 14624.

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