



# Diocese of Saint Petersburg Office of the Tribunal Introduction to the Tribunal and Its Cases

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The Office of the Tribunal serves the Bishop and the people of the Diocese of St. Petersburg through the ministry of justice and truth. Staffed by Judges, Defenders of the Bond, a Promoter of Justice, a Psychological Expert, and Ecclesiastical Notaries, the Ecclesiastical Tribunal strives to uphold the obligations and rights of the Christian Faithful as outlined in the Code of Canon Law. In all of its work, the Tribunal endeavors to be helpful yet just, kindly yet truthful, and always conscious that the supreme law of the Church is the salvation of souls (Canon 1752).



Any persons having presented themselves to others as married are presumed to have been married as the Church understands marriage. For that reason, any person having been married before must petition to a Church court to have the previous union investigated to see if there is a reason why the exchange of vows did not constitute a valid consent. Divorce in itself is a termination of the “civil union” of the couple; even then, in the Church’s understanding, parties are still married under Divine Law. For this reason, if a divorced person enters into a subsequent civil union, they remove themselves from the Sacraments. Otherwise, a divorced Catholic can continue to receive the Sacraments. Ironically, it is the State court that reaches into the marriage and actually dissolves the marriage by its own authority. The Tribunal simply studies a marriage.

Once an investigation shows there was not a valid consent according to Church Law, a written decision is issued. **NO** Church marriage is allowed unless and until a Final Affirmative Decision has been obtained. Since there is no set time for the process and there are no assurances of an affirmative decision, no date can be set for a Church wedding.

Either of the two parties of a previous union can petition the Church to consider declaring the union as not valid under Church Law. A union not valid under these conditions is considered “null”, i.e., there was not a valid consent. The Catholic Church’s declaration of a marriage being “null” has no effect on the status of the union under Civil Law nor does it have an effect on the status of children of the union. An individual “petitions” to the Church court in the diocese in which they live; if the petition needs to be handled elsewhere, the local Tribunal will assist in initiating the process. Each petition is developed with assistance in the local parish. Any priest, deacon, or trained Case Sponsor can provide this assistance.

Following an interview in the parish, initial data is obtained and submitted to the Tribunal. During the Tribunal’s evaluation, the case may be initially regarded as a **Formal Case**, or an **Informal Case**. The timing varies for each of these types of cases.

**It should be noted that the process for a Declaration of Nullity will not be initiated in the Diocese of St. Petersburg until at least one year has passed from the date of the final divorce decree.** It is the experience of this Tribunal that time is a great healer. Not only will the passage of time indicate that the marital relationship is indeed over and reconciliation is no longer possible, but it will allow for closure and healing.



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**Important:** Please note that this process has **NO civil effect**. It does NOT affect the validity of your civil union, legitimacy of children, custody, property, or other settlements. It does not seek to assign blame or guilt on anyone. It merely ascertains the status of the union according to the laws of the Church. The children remain legitimate.