



CATHOLIC DIOCESE OF KALAMAZOO

Office of the Tribunal

215 N. Westnedge Street, Kalamazoo MI 49007-3760; 269-903-0215

STATEMENT OF TRIBUNAL POLICY (ORDINARY PROCESS OR PROCESS BEFORE BISHOP)

The proceedings of this Tribunal are exclusively religious in nature and governed solely by the laws of the Roman Catholic Church. The purpose of this investigation is to determine the status of the parties in the Roman Catholic Church, and to ascertain their freedom to enter into a marriage that will be recognized by the Church.

It is the Tribunal's desire that these proceedings may be a healing experience, conducted in a spirit of Christian justice and compassion. To arrive at a just decision, the tribunal may request (with proper release) information from medical, psychological, school, military or personnel records. The Tribunal also reserves the right to contact other witnesses on its own initiative.

The petitioner is expected to supply the names of **at least 4 to 6 witnesses** (if possible) who have known both parties for a significant period. The petitioner must contact all of them to see that they will cooperate, if they are sent a questionnaire. They should be able to provide the Tribunal with information concerning **any or all of the following**: both parties' family background, childhood development and school experiences, dating practices and courtship, reasons for or against marriage, problems during cohabitation and reasons why the marriage eventually broke up. The respondent is also able to nominate witnesses. The Tribunal may not necessarily seek testimony from all of the witnesses who are nominated by either or both parties.

The Tribunal is often required to make use of a psychologist or counselor as a court expert who lends expertise for the benefit of the judge. In these cases, the petitioner or the respondent may be asked to meet with the court expert. **No one should set a definite wedding date until the Tribunal informs the parties of their freedom to marry, keeping the possibility of a stipulation in mind. There is also the possibility that the Tribunal might not be able to grant a declaration of invalidity due to non-cooperation, a lack of canonical grounds, inadequate evidence or insufficient proof, etc.**

Because there are a great many cases and there is no way of telling how soon the necessary information will be received for each case, it is not possible for the Tribunal to give a time limit for the successful completion of this process.

It is the policy of the Tribunal to disclose information only to those duly authorized ecclesiastical officials or other ecclesiastical Tribunals who are directly involved in the resolution of the case.

Because of the sensitive nature of the information gathered in this investigation, and because the Tribunal wishes to promote a spirit of charity and equality, everything which is part of the process is considered confidential. This information is never made available except as required by Church Law for inspection by the petitioner, the respondent, their duly appointed procurators and advocates, and the officers of the court.

Any requests for information on a case must be done by the parties themselves or their procurator and advocate.

The information cannot be inspected by witnesses or anyone acting in their behalf, nor can this information be used in any civil proceedings. A witness may request that his/her testimony be withheld from the petitioner and/or respondent for serious reason, such as family discord, scandal or defamation of character. The presiding judge may also curtail the availability of any information for serious reasons.

(Keep this document with your case file. Do not return it to the Tribunal)