

The Tribunal of the Diocese of Beaumont

What is a Diocesan Tribunal?

The Tribunal serves the mission of the Church by helping people live fully within the sacramental life. The Tribunal for the Diocese of Beaumont focuses on cases concerning the validity of marriages. The Tribunal ensures that every case is handled with fairness, dignity, and faithful adherence to the Church's teachings. According to the Code of Canon Law, this work is an extension of the Diocesan Bishop's Judicial Ministry to the local Church. The purpose of the Tribunal is not to pass judgment on individuals but to judge the validity of a putative marriage. A Declaration of Nullity in certain cases helps Catholics live their sacramental lives fully and without impediment.

What does the Tribunal do?

In addition to requests for Declarations of Nullity, the Tribunal also acts a resource to the Bishop and serves as a consultative office for clergy, religious and laity as a source of information regarding canonical matters. It is an extension of the Bishop's judicial authority.

What exactly is a "Declaration of Nullity"?

A Declaration of Nullity is a declaration by the Church that the couple never established the sacred bond of marriage. This process examines the intention and understanding of both people at the time of their wedding to see if the necessary elements of a full and true marriage were present (i.e., permanence, fidelity, the ability for true companionship and love of the spouses and openness to starting a family and educating children).

Why should I pursue a Declaration of Nullity?

Most people find the process helps them to heal and to feel a sense of closure. It is a way to let go of feelings of shame, guilt or blame. Additionally, should a person want to remarry in the Catholic Church, a Declaration of Nullity would need to be acquired before setting the date for marriage.

Does the Diocesan Tribunal have the competence to accept my case?

For a case to be accepted in our Tribunal, either the petitioner or the respondent needs to live in the Diocese of Beaumont, or the marriage must have taken place within the geographical bounds of the Diocese of Beaumont. According to Canon Law, the Tribunal is competent to judge the validity of any marriage, whether the parties were Catholic or not.

We didn't get married in the Church, but we want our marriage recognized in the Catholic Church. What now?

This is a process called convalidation. If a couple (at least one of whom is Catholic) has had a civil marriage but was not married in the Catholic Church, they can seek convalidation to embrace the sacrament of marriage. The preparation for convalidation is very similar to the marriage preparation that couples complete when marrying for the first time. The process begins by contacting their local parish to discuss what steps need to be taken, such as obtaining baptismal certificates, marriage formation sessions and determining the type of wedding liturgy. The exchange of vows is understood to be a new act of the will which renders the marriage valid from that point onward. Couples may also ask their pastor about the possibility of a radical sanation, in which the Diocesan Bishop declares the marriage valid retroactively from the time of the civil ceremony.

Who serves on the Tribunal?

In the Diocese of Beaumont, there are several positions that make up the Tribunal.

- *A Judicial Vicar and Adjutant Judicial Vicar* who oversee the Tribunal's ministry. They are assisted daily by our Secretary-Notary.
- *Diocesan Judges*, clergy or laypersons trained in canon law. All our current judges are priests.
- *Auditors* who gather and document testimony. Our auditors also assist in setting the grounds for particular cases.
- *Defenders of the Bond*, whose job is to argue for the validity of a marriage when a case is being considered.
- *Court Psychological Experts* who provide assessments, evaluations and expert opinions.

How much does it cost to request the services of the Tribunal?

There are no fees except for certain types of cases which must be referred to the Holy See. This is a ministry provided by the Diocese. Our work is supported by funds from the Appeal for Catholic Ministries.

What does the process look like?

1. The person who desires to begin the process (petitioner) will often approach the priest at their parish.
2. The priest will typically direct them to a case sponsor. A case sponsor is a trained person (priest, deacon or layperson) who is designated to help with the process.
3. The case sponsor meets with the petitioner and helps them to complete paperwork that is then brought to the Tribunal.

4. The information is reviewed to see if there are grounds to proceed. Interviews are conducted in a relaxed and conversational way, and witnesses are contacted to corroborate the information provided by the petitioner. The respondent (the former spouse) is also contacted by the Tribunal.

5. Acts of the Case are prepared; these are statements, witness accounts and reports from the psychological experts that are all compiled to present to the judge (or panel of judges).

6. The Defender of the Bond writes a brief which gives arguments in favor of the marriage's validity. Both parties are then offered an opportunity to review the Acts of the Case.

7. All the information is reviewed by the judge or panel of judges, then a decision is made.

8. The decision is communicated to the petitioner and respondent. Either party can appeal the decision if her or she chooses.

Must both parties participate to move forward with a Declaration of Nullity?

No, once a petitioner has requested to begin the process, the respondent will be contacted and given an opportunity to respond. We prefer that the respondent and witnesses proposed by the respondent participate as this gives us better information on which to base a decision. However, if the respondent chooses not to participate, the process continues.

Does a Declaration of Nullity change the status of our children?

No, receiving a Declaration of Nullity does not change the status of children in civil or canon law.

What is the status of a divorced Catholic in the Church?

Catholics who are divorced but who have not entered another civil marriage are encouraged to practice their faith fully, including participating in the sacraments. Merely being separated or divorced does not change one's status in the church. Divorced Catholics are full members of the Church with all the same rights as any other member. Catholics who are divorced and who have remarried, without a Declaration of Nullity, are not free to receive the sacraments, but they are encouraged to practice the other aspects of their faith, pending a decision by the Tribunal regarding their former marriage.

Is the information submitted to the Tribunal confidential?

Yes, all information gathered for the process is confidential and only released to Tribunal staff, petitioner and respondent.

How long does the whole process take?

Each case is unique, but typically, a case closes in six to 12 months.

I'm interested in becoming a case sponsor. What is the first step?

Go to dioceseofbmt.org/tribunal to watch the training videos and contact your pastor or the Tribunal personnel.

Diocesan Judges:

- Very Rev. Joseph Khanh Ho, STL, JCL
- Rev. Martin L. Nelson, JCL
- Very Rev. Steven L. Leger, STL, JCL
- Very Rev. Kevin L. Badeaux, JCL, STL
(Judicial Vicar)
- Rev. Ernie Carpio, JCL
- Very Rev. Sinclair K. Oubre, JCL
- Very Rev. Roger Keeler, JCD, PhD
(Adjutant Judicial Vicar)

Defenders of the Bond:

- Rev. Ernie Carpio, JCL
- Rev. Martin L. Nelson, JCL
- Very Rev. Sinclair K. Oubre, JCL
- Very Rev. Roger Keeler, JCD, PhD

Court Psychological Experts:

- Raul Espericueta, LMSW, CCTSI
- José E. Carranza, Ps. RCSWI, CEO

Auditors:

- Rev. Phillip Tran, JCL candidate
- Deacon Joe Michael Dodson, JD
- Deacon Frank J. Maida, JD