

**Metropolitan Tribunal
Archdiocese of Indianapolis**

Glossary of Terms

Acts of the Case: Documents, decrees and testimonies of the petitioner and respondent; and witnesses.

Advocate: Appointed by the judge at the request of one of the parties to ensure that his/her rights are upheld.

Affirmative Decision: Declares the marriage invalid.

Appeal: Recourse to a second court against the decision given by the first court.

Appellate Tribunal: The court to which a decision is appealed.

Auditor: Gathers testimony and interviews witnesses.

Canon Law: Body of rules framed by the authority of the Catholic Church for the regulation of itself.

Character/Credibility Witness: An individual who attests to the character and honesty of the petitioner when sufficient witnesses to the circumstances of the marriage are unavailable.

Citation: Formal notification to the respondent by the tribunal that a petition for a declaration of invalidity has been presented by the petitioner.

Competence: Jurisdiction of a tribunal to hear a marriage case.

Conclusion of the Case: Ends the collection of testimonies.

Court: Officials appointed to adjudicate a petition.

Decision: Written sentence containing the fact, the law and the argument which declares the outcome of the case.

Declaration of Nullity: A statement made by the Catholic Church that something the Church sees as essential for marriage was lacking in a particular relationship at the time of consent.

Defect of Form: The parties, one of whom is Catholic, did not follow the requirements of the Catholic Church for the wedding.

Defender of the Bond: The official of the court who presents all that can reasonably be argued in favor of the validity of the marriage.

Dissolution: The “relaxation of the bond” of a marriage in which at least one of the parties is non-baptized or in which the marriage was never consummated.

Ecclesiastical Notary: Person in the tribunal who attests to the accuracy and authenticity of documents and all official acts of the case.

Evidence: Testimony presented by the petitioner and respondent; and witnesses.

Expert Witness: A professional counselor presented as a witness by one or both of the parties.

Favor of the Faith: Dissolution of a marriage in which one party was baptized and one was non-baptized.

First Instance Court: Tribunal that has competence to hear a case the first time.

Formal Case: A case that investigates a marriage to see if anything essential was lacking at the time of consent.

Grounds: Reason(s) that the marriage is alleged to be invalid.

Invalidity: Matrimonial consent is invalid due to the lack of capacity, a lack of knowledge, or a lack of will (intention).

J.C.D.: A canon lawyer; doctoral degree in canon law, *juris canonici* doctorate.

J.C.L.: A canon lawyer; licentiate degree in canon law, *juris canonici* licentiate.

Joinder of Issues: Decree stating the grounds on which the case will be heard.

Judge: The official of the court who renders a decision on the invalidity of a marriage or the lack of proof to overturn the presumption of validity of a marriage; may be a single judge or a panel of three judges.

Judge Ponens: In a panel of three judges; the official of the court who is designated by the presiding judge, from among the judges of the college, to draw up in writing the judicial sentence.

Judge Instructor/Assessor: Manager of the case and assistant to the judge.

Judicial Vicar: The priest appointed by the archbishop as Chief Judge of the Tribunal.

Lack of Form: A marriage in which a Catholic who is required to follow canonical form for marriage did not do so (“married outside the Church”).

Libellus (Petition): Formal document from the petitioner to the tribunal requesting an investigation of a marriage.

Ligamen: A marriage case in which one of the parties was in a previous presumed valid marriage.

Marriage: Exclusive and permanent partnership between a man and a woman in which they mutually give and accept each other to share a community of life and love, and to accept and raise children in the family.

Monitum: A warning placed by the judge on a party to a case regarding a future marriage in the Church.

Negative Decision: A decision in which the presumed validity of the marriage was upheld; in other words, there was not sufficient proof in the acts to issue a declaration of nullity.

Parties: Petitioner and respondent.

Pauline Privilege: Dissolution case involving two non-baptized parties with the petitioner converting to Christianity.

Petitioner: Party to the marriage that presents the petition for an investigation into the validity of a marriage.

Proofs: Documents and testimonies of the petitioner and respondent; and witnesses.

Psychological Expert: Professional who reviews and submits a report from a psychological perspective to assist the judge in deciding the case.

Publication of the Acts: Decree sent informing the parties of their right to read the evidence gathered in the case.

Respondent: Former spouse of the petitioner.

Second Instance Court: Tribunal that hears an appeal of a decision from the Court of First Instance; for the Indianapolis Tribunal, the Louisville Tribunal is the Court of Second Instance (Appellate Tribunal) and/or, in special cases, the Roman Rota.

Vetitum: A prohibition set by the judge against a future marriage in the Church until either or both parties meet certain conditions.

Witness to the Marriage: An individual named by either party who is aware of events leading up to the marriage, the quality of the relationship, the problems that evolved and the causes for the breakup.