



Archdiocese of New Orleans

Office of the Archbishop

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To: Clergy, Religious, and Laity of the Archdiocese of New Orleans
From: Archbishop Gregory Aymond *GA*
RE: Papal Reform of the Marriage Annulment Process

Outlined below are the Canonical changes in the Archdiocese of New Orleans resulting from the reform of the Canonical process of marriage nullity by Pope Francis. I hope this is of help in understanding the changes that are effective December 8, 2015.

1. The mandatory appeal to Philadelphia Appeal Tribunal, as formerly required by the law, is repealed, effective December 8, 2015. Thus, if the respondent does not appeal the case, an affirmative sentence of the Metropolitan Tribunal of New Orleans judged in first instance will no longer be sent to Philadelphia for ratification beginning on the aforementioned date. 15 days after notifying the parties of the affirmative decision, if there is no appeal from the respondent and the defender of the bond does not appeal the case, the Tribunal of New Orleans will then issue a decree of nullity of the marriage to be sent to the procurator and the parties. Upon receipt of this decree of nullity, the spouses will then be free to contract a new marriage in the Church, if there are no other canonical impediments.
2. It is now normative for a single judge, who must be a cleric, to judge cases at the first instance tribunal. Up until now, the law requires a collegiate tribunal of three judges, except when there is insufficient number of judges to constitute a panel of three judges. With this reform, it would now be the norm for a single judge, who must be a cleric, is to judge a case.
3. The Archbishop can judge certain cases himself provided that the Archbishop is convinced with moral certainty that the marriage should be declared invalid and provided that he is assisted in ascertaining the facts by two assessors, with whom he will discuss the facts of the case. If the Archbishop is convinced of the moral certainty of the nullity of the marriage, he will pronounce the decision; otherwise the case will be remitted to the ordinary process.
4. In those cases in which the Archbishop himself is the judge and in which he is assisted by two assessors, a short procedure is to be applied provided that the alleged nullity of the marriage is supported by particularly clear arguments and provided that there is moral certainty on the part of the Archbishop regarding the nullity of the marriage,
5. Formal cases are to last a maximum of one year. In those case in which the Archbishop himself is the judge and in which he is assisted by two assessors, the case is to last less than a year.
6. An aggrieved party still has the right to appeal cases to Philadelphia or to the Apostolic Tribunal of the Roman Rota.
7. These reforms are effective December 8, 2015.
8. While the Metropolitan Tribunal of New Orleans will begin implementing the new laws beginning December 8, 2015, the Tribunal will organize a workshop within the first quarter of 2016 to provide us with the procedures to be observed regarding how the new laws will be applied in the concrete. We appeal for your support and patience. Please, contact the Tribunal if you have further questions.