

## How does the briefer process work?

In the revised procedural norms approved by Pope Francis, a briefer process judged personally by the diocesan bishop may be conducted under certain specific conditions.

The shorter process is designed only for those rare cases when it can be employed without injustice to both parties. Three strict qualifications must be met:

- Both spouses have to file a petition together, or if not, the other party must at least consent to it in writing.
- The nullity of the marriage must be clear (based on the list in the next column)
- All the facts that make the marriage manifestly null must be readily available.

If these conditions are met, the parties would work with an instructor (person who collects the evidence) and an assessor (person who advises the bishop) to present the case in a clear and concise manner to the bishop within 30 days of the case being accepted.

Afterwards, the parties in the case have 15 days to present any closing arguments to the bishop for judgment.

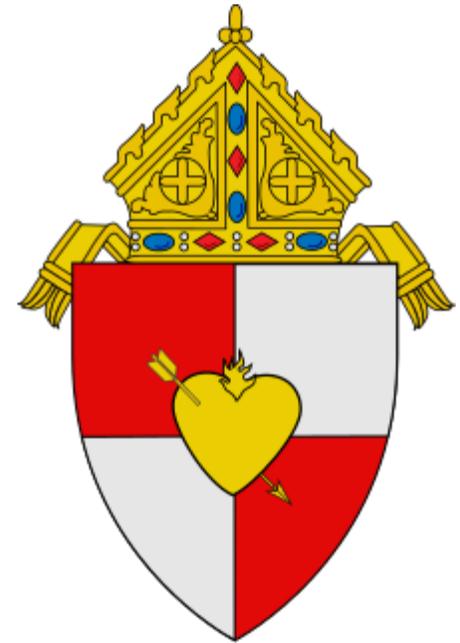
If the bishop rules in the affirmative (that the marriage is invalid) the parties have 15 days to appeal. If the bishop rules in the negative, the case is referred back to the traditional formal process.

## What types of cases can be filed according to the briefer process?

While no new grounds have been proposed for the nullity of marriage, the following are reasons a case may be conducted according to the briefer process:

- lack of faith resulting in the simulation of consent to be married or an error that determines the will regarding one of the requirements of marriage
- the brevity of married life (i.e., the couple divorced very quickly after being married)
- procured abortion to prevent procreation
- stubborn persistence in an extramarital affair at the time of the wedding or at a time immediately following
- malicious concealment of:
  - infertility
  - a serious contagious disease
  - children born from a previous relationship
  - an incarceration
  - a reason for getting married that is completely foreign to married life or consisting of the unplanned pregnancy of the woman
- physical violence inflicted to extort the consent to marry
- lack of use of reason proved by a competent medical professional.

Only the Judicial Vicar can determine if a case meets the criteria for the briefer process.



# POPE FRANCIS AND THE ANNULMENT PROCESS

Diocese of St. Augustine  
Office of the Tribunal





## What exactly did Pope Francis do?

In 2015, Pope Francis issued *Mitis Iudex Dominus Iesus*, [The Lord Jesus, Gentle Judge], a document revising the marriage nullity process. The document did not change any of the Church's teachings regarding marriage or its indissolubility, rather he revises the annulment process to eliminate any unnecessary, artificial, or unduly burdensome barriers toward obtaining a just and efficient judgment regarding the validity of a marriage.

## Why did Pope Francis reform the process?

Pope Francis, working with a commission of experts, reformed the annulment process in order to make it as accessible as possible, without undermining its integrity in order to bring healing more swiftly to those in a state of uncertainty while their annulment case is pending.

## What are the major changes?

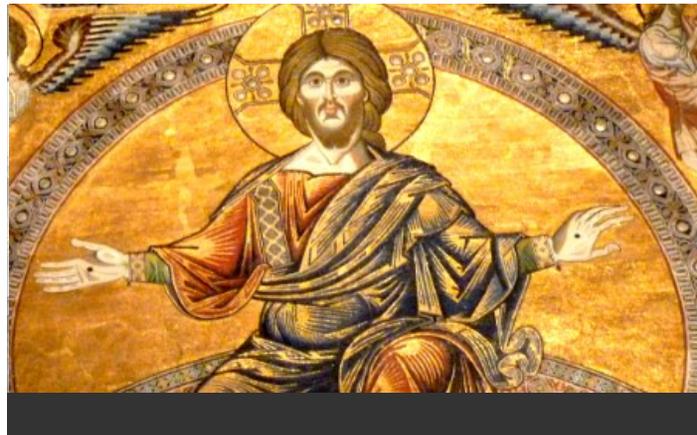
- It is easier for a Tribunal to gain competence to hear an annulment petition.
- There are different requirements for Tribunal personnel to allow for more flexibility in assigning judges.
- The requirement for every case to go before a Court of Second Instance has been eliminated.
- A shorter and more streamlined process, judged personally by the diocesan bishop, for certain rare and exceptional cases has been created.
- The way in which Tribunals are funded has been shifted from charging the parties filing the case to the diocese incorporating expenses into their operating budget that is funded by contributions from the faithful.

## How do these changes help those filing an annulment petition?

The changes to the annulment process aim to expedite a petition through the Tribunal without compromising that the marriage in question is investigated properly to reach a decision of moral certitude. The changes shorten the periods of time when cases would be needlessly delayed due to extra formalities and requirements.

The changes are also designed to make the annulment process more pastoral and increase the ability for the process to bring healing, mercy, and justice to the parties involved.

The goal of the Church in accepting an annulment petition is to reach the truth of whether the marriage in question was validly or invalidly contracted by the parties in an expeditious and just manner. These changes allow for this goal to be achieved while more clearly demonstrating God's mercy and compassion.



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