

MESSAGE FROM THE JUDICIAL VICAR

Introduction

Dear Friends,

Marriage is a solemn commitment of a man and a woman to be faithful unto death. Our current Code of Canon Law, on Canon 1055 - §1, describes marriage using the following words: *“The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a sacrament between baptized.”* That is to say, in the Catholic Church, marriage is a sacrament in which this commitment to each other is blessed by the Lord. Being married in the Lord means a life of fidelity to each other as Christ himself is faithful to his Church.

Unfortunately in our society today, there is a wide-spread phenomenon of marital breakdown. This is a sad and troubling situation that we all must face. Members of the Catholic Church are no less affected by this than the rest of our society. The Church believes in and is committed to the permanence of the marriage bond. The Church will do all in its power to defend that and in concrete circumstances to encourage and promote stable and faithful marriages. However, the reality is that some marriages in our society will not succeed.

For this reason, the Church in her wisdom has instituted a process through its judicial system. That process begins from the premise that the marriage is valid and sacramental. It does however, go through a formal investigation to determine if at the time of the marriage there was some essential element missing which would render it virtually impossible for the couple to achieve that to which they were committed - a permanent, faithful and loving union. Only when an essential element has been established as missing at the time of the beginning of the marriage, does the Church recognize that fact and find herself in a position to act. At that point, having followed the process which is instituted by the Church Universal through the Code of Canon Law, the Diocesan Tribunal can make a declaration of nullity of this marriage.

The process of the Diocesan Tribunal is to assist couples who find themselves in such a situation. Our Tribunal is staffed by trained Canon Lawyers and also assisted by competent priests, deacons, religious, and lay men and women who serve in the capacity of canonical advocates or expert witnesses. Their task is to evaluate a marriage which has already been civilly dissolved through divorce. After having made their investigation, they are competent to make a judgment on whether or not there is an essential ingredient

missing. Therefore, based on the norms of Canon Law and the fact of a particular case a marriage can be declared null.

If you feel that you qualify for this process, I urge you to make use of the Marriage Tribunal of the Diocese of Salt Lake City. It is my experience that this process is pastorally sound, healing and sensitive to the needs of every person who is involved in such a situation. It is also my experience that, in a very special way, those who go through this process discover that even while at times it may be painful, it is a healing process that can bring closure to one aspect of life and open up new prospects for the future.

Please be assured of my confidence in our Tribunal and my prayers for every person who has reason to come to this Tribunal seeking its pastoral help and judicial skill.

Yours sincerely in Christ,

Rev. Langes James Silva, STL, JCD
Judicial Vicar / Vice-Chancellor
Diocese of Salt Lake City

