



PLAYING OUR POSITIONS PART 1: THE JUDICIAL VICAR

The Office of the Tribunal and Matrimonial Concerns utilizes the services of several different people in many different positions in our work of processing marriage annulments. We thought it would be helpful to give a basic job description of each of these positions over the next few issues of this newsletter so that pastoral ministers who communicate with our office know which person to contact if they have particular questions or concerns. We will begin with the judicial vicar.

The Code of Canon Law states: “In each diocese, the judge in first instance for cases of nullity of marriage...is the diocesan bishop, who can exercise judicial power personally or through others, according to the norm of law” (canon 1673 §1). This canon stresses the fact that the supreme judge of a diocesan tribunal is the diocesan bishop; it is his judicial power that the tribunal exercises when processing annulment cases.

As a practical necessity, the law gives the bishop the ability to exercise his judicial power vicariously through others, and the law establishes the positions of judicial vicar and judge for this purpose. The judicial vicar must be a priest of “unimpaired reputation” who is at least thirty years old and has a license or doctorate in canon law (canon 1420 §4). He has the authority to judge any and all cases that the diocesan tribunal legitimately accepts except for those that the bishop reserves to himself. Practically speaking, the bishop does not reserve marriage nullity cases to himself, meaning that the judicial vicar serves as the presiding judge of all marriage nullity cases processed by our tribunal, the exception being cases in which the judicial vicar has a conflict of interest (e.g. he is also the pastor of one of the parties in the case).

In addition to his oversight of the tribunal office and the tasks he has in common with other judges, the judicial vicar has several responsibilities throughout the annulment process, including but not limited to the following:

- Notifying the Respondent that the process has begun;
- Determining the grounds on which cases will be decided;
- Assigning judges and other officials to cases;
- And notifying the parishes where the parties were baptized or married of an affirmative decision so they can update their records.

The diocesan bishop may also assign the judicial vicar additional responsibilities. In our diocese, the bishop has traditionally delegated the authority to the judicial vicar to grant requests for marriage dispensations and permissions, for example.

That’s it for the judicial vicar. Tune in next month when we will look at the role of the judge. Until then, keep the faith, love God’s people, and always honor the code!



- Formally accepting cases to be processed by the tribunal;