



TIME WAITS FOR NO ONE: TIME LIMITS IN THE ANNULMENT PROCESS

We have discussed in previous issues the impossibility of determining in advance a specific length of time that an annulment case will take due to the number of variables in the process that are beyond the tribunal's control. Other parts of the process do not vary but still affect the time the entire process takes. Among the latter are certain time limits assigned to different steps in the process. In this issue we will look at the different kinds of time limits and offer examples of each.

The first kind of time limit is determined by its effect. Peremptory time limits determine the specific length of time that someone involved in the process has to exercise a right. Once the time limit expires, the person loses that right. Non-peremptory time limits do not extinguish a right when time expires but simply enable the tribunal to move the process forward to the next step.

A good example of a peremptory time limit is the fifteen-day period that the parties in the case have to appeal a decision. The clock starts the day the judge informs the parties of the decision. If neither party files an appeal by the end of the fifteenth day, the decision takes effect and can no longer be appealed.

A good example of a non-peremptory time limit is the fifteen-day period that the Respondent is given to answer the initial citation. This step takes place once the tribunal has accepted a petition and invites the Respondent to participate. If the Respondent fails to answer the citation within those fifteen days, then the tribunal declares the person absent from the case and moves on with the process. However, the Respondent does not lose the right to participate because of this. He or she is free to join the process at any point, even after the fifteen days have expired. This time limit simply makes it possible to keep the process moving in the Respondent's absence and prevents him or her from stalling the process by refusing to answer the citation.

Another kind of time limit is determined by the limit's source. Most time limits are determined by the law itself

(the fifteen days to appeal a decision, for example). Others are determined by the tribunal. A good example of this kind of time limit is the ten-day period within which the parties can inspect the acts of the case (the testimony of the parties and witnesses) before the tribunal concludes the case. The law does not set this time limit but gives the tribunal the authority to do so.

A final consideration on the subject of time limits is the calculation of time. Most time limits in the annulment process are measured in what are called "useful days," days the parties can use to communicate with the tribunal and exercise their rights. These are different from business days in that weekends and holidays are considered useful, even though the office is not open. Only if the last day of the time limit falls on a day when the office is closed is it not considered useful. In such a case, the time limit is extended to the first day after that when the office is open.

That's it for now. Until next time, keep the faith, love God's people, and always honor the code!

