

Justice in the Church:

Principles of Canon Law

Purpose: Identify similarities and differences between the legal system of the Catholic Church and the legal system of the United States of America in order to facilitate collaboration and understanding between law professionals working in both systems

- I. Brief History of Law in the Catholic Church **(4:00pm)**
 - A. Church Orders: Didache, Didascalia Apostolorum
 - B. Ecumenical and Local Councils: Nicaea, Trullo
 - C. Collections of canons
 - D. Decretals: Gratian, the Liber Sextus
 - E. Codes
 - 1. 1917 Code
 - 2. 1983 Code
 - 3. 1990 Eastern Code
- II. Basic overview of 1983 Code: 7 Books **(4:05pm)**
 - A. General Norms
 - B. People of God
 - C. Teaching Office
 - D. Sanctifying Office
 - E. Temporal Goods
 - F. Sanctions
 - G. Processes
- III. Temporal Goods: Finance and Corporate Law **(4:10pm)**
 - A. Physical, Juridic, and Moral Persons
 - B. Alienation
 - C. Acquisition
 - D. Administration
- IV. Judicial Power of Governance: the Judicial Branch **(4:20pm)**
 - A. Unity of Powers of Governance
 - 1. Legislative, Judicial, Executive
 - 2. Tied to Sacred Orders
 - B. Court Hierarchy
 - 1. First Instance
 - 2. Second Instance
 - 3. The Roman Rota
 - 4. The Apostolic Signatura
 - C. Parties to the Case
 - 1. Judges
 - 2. Promoter of Justice

3. Defender of the Bond
4. Petitioner – plaintiff
5. Respondent – defendant
6. Advocate
7. Procurator
- D. Trials in General
 1. Libellus – indictment, claim
 2. Panel of Judges: Praeses and Ponens
 3. Contentious Process
 4. Publication of the Acts – discovery
- V. Sanctions: Criminal Law **(4:40pm)**
 - A. Delicts: Crimes
 1. More Grave Delicts – Reserved
 2. Individual Delicts
 - B. Penalties
 1. Censures – goal to reform the offender
 - a. Excommunication
 - b. Interdict
 - c. Suspension
 2. Expiatory Penalties – goal to repair scandal
 - a. Prohibitions
 - b. Privations
 - C. Mitigating and Aggravating Factors
- VI. Declarations of Nullity and Recourse: Civil Law **(4:50pm)**
 - A. Marriage Processes
 1. Exhort to reconciliation
 2. Ordinary Process
 3. Documentary Process
 4. Briefer Process before the Bishop
 5. Pauline Privilege and Favor of the Faith
 - B. Grounds of Nullity
 1. Defects of Consent
 2. Impediments
 3. Defects of Form
 - C. Administrative Recourse
- VII. Questions/Discussion **(5:00pm)**