

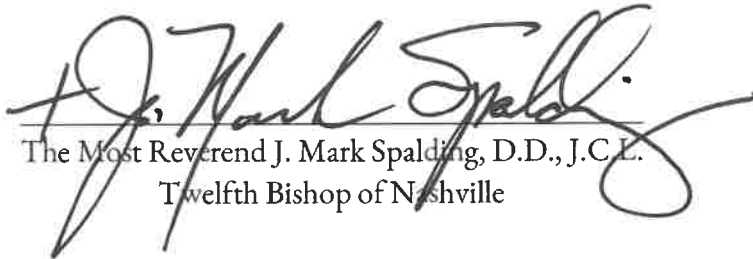
# STATUTES OF THE TRIBUNAL OF THE DIOCESE OF NASHVILLE




Promulgated by the Most Reverend J. Mark Spalding, D.D., J.C.L.  
Twelfth Bishop of Nashville  
in the year of Our Lord 2025

The following statutes have full force of law in the Diocese of Nashville effective 1 October 2025, accompanying those norms and guidelines contained in the *Code of Canon Law*, the m.p. *Mitis Index Dominus Iesus*, the Instruction *Dignitas Connubii*, and other sources of universal law, as well as national, provincial, and diocesan legislation currently in force.

Given 15 September 2025 at the Catholic Pastoral Center in Nashville, Tennessee.



The Most Reverend J. Mark Spalding, D.D., J.C.L.  
Twelfth Bishop of Nashville



Erin A. Stracener, J.C.L.  
Vice Chancellor AND Moderator of the Tribunal Chancery



## **STATUTES OF THE TRIBUNAL OF THE DIOCESE OF NASHVILLE**

- 1.** By law and by disposition of the Apostolic See, the Tribunal of the Diocese of Nashville possesses jurisdiction for canonical trials in the First Instance under the usual titles of competence and is also competent to adjudicate matrimonial appellate cases in the Second Instance arising from the Diocese of Memphis.
- 2.** By disposition of the Apostolic See, the ordinary appellate tribunal established for appeals lodged against matrimonial decisions of this Tribunal is the Tribunal of the Diocese of Knoxville, without prejudice to the right of interested parties to make appeal to the Tribunal of the Roman Rota. Appeals in non-matrimonial matters are ordinarily lodged with the Metropolitan Tribunal of the Archdiocese of Louisville, again without prejudice to the right to make appeal to the Tribunal of the Roman Rota.
- 3.** The seat of the Tribunal is at the Catholic Pastoral Center, located at 2800 McGavock Pike in Nashville.
- 4.** Judicial expenses associated with the work of the tribunal are borne almost entirely by the diocesan bishop. Parties to a matrimonial process are not invited or expected to pay any costs for the process, with the following exceptions:
  - a.** If the participation of an expert witness is required because of the nature of the case, the party may be asked to contribute toward the cost of the associated professional service.
  - b.** Considering particular circumstances, petitioners may be provided the opportunity to make a voluntary donation once the process is finalized.
- 5.** A minister of justice may recuse himself from a judicial action at the request of a party who provides a just cause. A minister of justice must recuse himself if he has any reasonable suspicion to doubt his ability to perform his task with objectivity.
- 6.** Certain time limits are provided by universal law and normally cannot be modified. Other time limits are set at the discretion of the judge and can be modified for a just cause. Unless modified in specific instances, the following judicial time limits will be observed in trials adjudicated in this tribunal:
  - 10 canonical days to respond to a request for missing documentation
  - 10 canonical days to object to the appointment of a certain advocate
  - 15 canonical days to submit testimony
  - 15 canonical days to sign and return the release to meet with a professional expert
  - 15 canonical days to review the evidence after the publication of the acts
  - 10 canonical days to submit additional evidence after review of the published acts
  - 15 canonical days to review the sentence after its publication
  - 15 canonical days to reject an abatement
- 7.** A special time limit applies to the cessation of a trial when no procedural act is undertaken by one of the parties for a determined period of time. In trials adjudicated in this tribunal, if no procedural act is performed by the parties over a period of three months, and the parties have not been legitimately impeded from doing so, the trial is abated. Although this abatement takes place by virtue of the law itself, the parties will be warned of the impending abatement beforehand, and the eventual abatement will be declared by decree of the judge and communicated to the parties.

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**8.** The acts of the case will be collected and bound in the following order:

- Data Sheet
- Decrees, in order from oldest to newest
- Libellus and Complete Petition form
- Petitioner's testimony
- Respondent's testimony and correspondence, in order from oldest to newest
- Reports of professional witness, if applicable
- Witness testimony
- Church and civil documents, in order from oldest to newest
- Advocate briefs, if applicable
- Animadversions of the Defender of the Bond
- Definitive Sentence
- Decision letters
- Decree of Promulgation, if applicable
- Miscellaneous correspondence, in order from oldest to newest

**9.** The following documents must always be submitted along with the appropriate form corresponding to the case type provided by the Tribunal:

- Baptismal or profession of faith certificates for any and all Catholic parties to the case, issued within the preceding six months, with complete and proper notations
- Marriage certificate
- Final divorce decree, signed by a judge or chancellor
- Civil prenuptial agreement, if applicable
- Declarations of nullity for any other marriages, if applicable
- Death certificates, if applicable
- Other documents as appropriate to the particular case type

**10.** The requirement of canon 1675, that the judge be informed of the irreparable failure of the marriage and the impossibility of restoring the common life prior to accepting a case, is fulfilled by receipt of a valid civil divorce decree signed by a judge or chancellor. When, for a reasonable cause, a civil divorce decree is lacking, the Judicial Vicar may fulfill this requirement in another suitable way.

**11.** Due to high volume of cases, the tribunal ordinarily communicates with parties in the trial and witnesses in writing by means of the U.S. Mail service. Judicial confessions and witness testimony are most often sought and received "in the American manner" by means of written affidavit, but in order to be accepted must be verified by civil or ecclesiastical notarization.

**12.** The Judicial Vicar and Adjunct Judicial Vicar are competent to execute judgments for any case whatsoever adjudicated by the diocesan tribunal.

**13.** In accordance with the custom predominant in the United States, should a tribunal process result in a change of status of persons, the tribunal will communicate that change directly to the parishes of baptism.

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**14.** In documentary and dissolution cases, as well as cases adjudicated by means of the “Briefer Process before the Bishop,” the tribunal observes the corresponding formalities provided in universal and proper law. The statutes which follow govern ordinary marriage trials.

**15.** The respondent in the trial will be cited according to the following schedule of communication:

- a.** By regular mail, immediately after the decree admitting the Libellus.
- b.** By certified mail, 15 canonical days after the first attempt if no response has been received. If no response is made to this second citation within 15 canonical days and receipt of the citation has been verified, the respondent may be declared absent from the trial.
- c.** Even if the respondent has been declared absent, the Court will communicate the Joinder and the dispositive part of the Definitive Sentence by regular mail at the appropriate times.

**16.** Procedural law provides an opportunity for parties and their advocates to offer final remarks to be considered by the court, after the collection of proofs has been completed. If a party is not represented by an advocate, the opportunity to provide these final remarks coincides with the review of the published acts. If a party is represented by an advocate, that advocate will be invited by decree to provide a written brief to the court during the discussion phase of the trial.

**17.** Only the parties to the case, that is, the petitioner and respondent, and their canonically appointed advocates, may review the acts of the case at the time established by law. No other persons, including current spouses, children, or case sponsors may review the acts of the case, which aside from the parties and officers of the court, are absolutely confidential. A party who reviews the acts of the case will be accompanied by one or more officers of the tribunal who will be present to supervise the review of the acts and answer any questions.

**18.** After the deliberation and decision of the judges, and the composition of the written definitive sentence, the parties will be informed of the decision of the court and invited to review the written decision at the seat of the tribunal, or if necessary, in another suitable location approved by the Judicial Vicar. Only the parties to the case, that is, the petitioner and respondent and their canonically appointed advocates, may review the decision. No other persons, including current spouses, children, or case sponsors will be admitted to review the decision. A party who reviews the decision will be accompanied by one or more officers of the tribunal who will be present to supervise the review of the decision and answer any questions. A party who wishes to retain a written copy of the decision may do so after having reviewed it with the tribunal staff in accordance with the provisions of this statute.

**19.** A party who wishes to appeal the decision of the Tribunal must first read the definitive decision in its entirety and must declare in writing the intention to appeal within the time frame established by law.

**20.** A party who no longer wishes to pursue his or her case may renounce the case in writing prior to the conclusion of the instruction phase of the trial. If the instruction of the cause has been concluded, the case must proceed to a final decision. If the parties place no procedural act for three months, the case is automatically abated by law, and all prosecution of the case ceases. If a case is nearing abatement, the tribunal will contact the parties to motivate procedural acts which would allow the case to continue. An abated case may be resumed at the request of an interested party.

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- 21.** The staff of the Tribunal are available to answer questions parties may have during the process. A party who requires a higher-than-normal level of canonical assistance may request that the court appoint an advocate or may select a canonical advocate from among those approved for that function by the diocesan bishop. In extraordinary circumstances, a party may request to be represented by an advocate not among those already approved by the diocesan bishop, but such an advocate must be a doctor, or at least licensed, in canon law, and must be accepted by the Judicial Vicar. The Judicial Vicar or judge may appoint an advocate to represent a party if he believes that for the sake of truth and justice the party ought to be represented by an advocate.
- 22.** If a party selects an advocate of his own choosing, the party must submit a mandate appointing the advocate using the form provided by the Tribunal for that purpose.
- 23.** By submitting a petition for a declaration of nullity, a Petitioner acknowledges and assents to the following:
- That the tribunal must follow the law of the Catholic Church and that this law indicates that, even if a marriage has ended in divorce, it is presumed to be valid and binding until proven otherwise to the point of moral certainty, that is, beyond reasonable doubt.
  - That a declaration of nullity cannot be granted unless and until the parties provide evidence sufficient to overcome the presumption of the validity of the marriage.
  - That submitting a petition for a declaration of nullity does not in any way guarantee or suggest that the corresponding marriage will be declared null.
  - That the grounds upon which the petition is submitted may not be the grounds that are ultimately chosen by the court for the investigation of the validity of the corresponding marriage.
  - That it is the responsibility of the parties to ensure that witnesses provide testimony in a timely manner, and that it is understood that the tribunal cannot proceed without the cooperation of knowledgeable witnesses.
  - That a party has a right to be represented by a court-approved advocate, and that anyone who wishes to avail himself or herself of this service must contact the tribunal to make the request; that even if such a request is not made, an advocate may be appointed if the court determines that it would be in the interest of truth and justice to do so.
  - That the petitioner's former spouse will be contacted and given the opportunity to participate fully in the tribunal process, and that this former spouse's rights must be observed and protected throughout the process, without exception.
  - That it is absolutely prohibited to set even a tentative date for marriage in the Church unless and until a declaration of nullity has been granted and the time for appeal has passed, and no other impediments or other obstacles to marriage are present.