

LIRA DIOCESAN MARRIAGE TRIBUNAL

1. WHAT IS A MARRIAGE TRIBUNAL?

A tribunal, which is the official ecclesiastical court of the Catholic Church, is established in each diocese by the Bishop to assist him in carrying out his responsibility as shepherd of the local Christian community which has been entrusted to him (c. 369). The Diocesan Bishop is the judge of first instance and he can exercise this power either personally or through others, normally the tribunal officials in accordance with the norms of canon Law (c. 1419). As the judicial arm of the Bishop, a diocesan tribunal cooperates in his ministry, namely, “the salvation of souls, which must always be the supreme law of the Church” (c. 1752).

The Tribunal ministers of the Diocese of Lira are appointed by the Bishop with the power to adjudicate in accordance with Canon Law. Among its primary duties is to examine petitions for a Declarations of Nullity, in which someone petitions the tribunal to determine if their prior marriage may be declared null or not.

What is Church Marriage?

Church Marriage or the Sacrament of Matrimony is a matrimonial covenant by which a man and a woman establish between themselves a partnership of the whole of their life, ordered to the good of the spouses, procreation and education of children and which has been raised by Christ the Lord to the dignity of a sacrament between the baptized (c. 1055 §1). Consequently, a valid marriage contract cannot exist between baptized persons without its being by that very fact a sacrament (c. 1055 §2).

The essential properties of marriage are unity, that is, sharing conjugal love exclusively with only one’s partner and indissolubility, that is, living permanently with each other’s partner until death and these properties are made firm by reason of the sacrament (c. 1056).

Lira Diocese is part of the Interdiocesan Tribunal of Gulu Ecclesiastical Province

The Diocese of Lira does not have its own marriage tribunal but is served by the Interdiocesan Tribunal of Gulu Ecclesiastical Province, which is based in Gulu, whose jurisdiction covers the four dioceses of the Gulu Ecclesiastical Province: Arua Diocese, Gulu Archdiocese, Lira Diocese and Nebbi Diocese.

The Diocese of Lira will have, as required by Canon Law, to plan and establish its own diocesan tribunal in the future. Presently, the Marriage Tribunal of Lira Diocese is starting to take shape but still at the level of the Tribunal Department of Lira Diocesan Curia and Rev. Fr. Geoffrey Onimo is the present Judicial Vicar of Lira Diocese.

The Interdiocesan Tribunal of the Ecclesiastical Province of Gulu was started in 2006. It is a tribunal of first instance for handling marriage cases. It is served by the Metropolitan Tribunal of Kampala Archdiocese as its tribunal of second instance.

Presented below is the list of the ministers of the Interdiocesan Marriage Tribunal of Gulu Ecclesiastical Province:

S/N	NAME	OFFICE	DIOCESE
1.	Rev. Fr. Dr. Francis Omara	Judicial Vicar	Lira Diocese
2.	Rev. Fr. Geoffrey Onimo	Defender of the Bond	Lira Diocese
3.	Rev. Fr. John Peter Olum	Judge	Gulu Archdiocese
4.	Rev. Fr. Joseph Ogwal	Auditor/Judge	Lira Diocese
5.	Rev. Fr. Dominic Adebasiku	Notary/Judge	Arua Diocese

The work of this tribunal is to help settle dispute and reconcile broken or wavering marriages in order to lead them to the fruitful reception of the Sacrament of the Most Holy Eucharist in which they embrace Christ Jesus, the healing source of their conjugal love. It also handles marriage separation and marriage nullity cases.

The tribunal lacks an office space and has been up to now planning to put up one without success. The team of the tribunal has been moving to parishes to sensitize Christians about its roles and the roles of the Pastors of souls. It has also sensitized all the priests working in the Archdiocese of Gulu and the Diocese of Lira especially on how to identify marriage cases that could be handled pastorally and those which could be brought before it.

Since the marriage cases are, presently, tried and judged free of charge unlike in the tribunal of many dioceses in the Universal Church, the Interdiocesan Tribunal of Gulu Ecclesiastical Province is faced with financial constraints hindering the more efficient rendering of its services.

Cases handled in 2019

One (1) matrimony nullity case was finalized and its sentence issued and its execution effected.

Cases being examined in 2020

Three are 40 matrimony nullity cases being examined this year 2020.

2. PURPOSE OF THE TRIBUNAL

A tribunal, which is the official ecclesiastical court of the Catholic Church, is established in each diocese by the bishop to assist him in carrying out his responsibility as shepherd of the local Christian community which has been entrusted to him, specifically in assisting the Bishop in the exercise of his judicial power and services (cc. 369, 1419). This ministry is carried out for the accomplishing the common good of the Church which is “the salvation of souls, which must always be the Supreme Law of the Church” (c. 1752).

All previously married individuals have a right to seek clarification of the status of a previous marriage. The trained personnel at the Diocese of Lira Tribunal are delegated

to act on behalf of the Bishop of Lira. They seek justice, the protections of rights, and the clarification of obligations for all who approach the Tribunal.

Church Law (Canon Law) safeguards the indissolubility of the sacrament of marriage. By law, a marriage is presumed valid until proven otherwise by positive proof (c. 1060). A declaration of nullity is rendered when the marriage is determined to be invalid. The procedures utilized by the Tribunal are grounded in canon law, Sacred Scripture and the authentic teaching of the Church. While the process is judicial, it is the commitment of tribunal personnel to demonstrate a pastoral attitude and regard for those who submit cases for adjudication.

To experience the process involved in a declaration of nullity is to experience healing.

3. VISION OF THE TRIBUNAL

To have Church Marriages safeguarded and lived in true holiness, unity and mutual love and respect and to have problems of broken marriages sorted and solved in justice, truth and charity; so that all married couples are not hindered from receiving the Sacrament of the Most Holy Eucharist in their journey together to Kingdom of God.

4. MISSION OF THE TRIBUNAL

The Mission of the Tribunal under the guidance of the Diocesan Bishop is: To reflect and experience Christ in the ministry of justice through the compassionate and equitable application of Church Law, to protect the rights and dignity of each person without discrimination, and to provide an opportunity for healing through the discovery and establishment of the truth.

In the actualization of its mission, Ecclesiastical Marriage Tribunal renders the following services:

(a) It advises priests in the parishes about marriage issues since they are those to assist couples with marriage problems to approach the Tribunal. The priests in the parishes are also those to prepare couples for their wedding, to assist and advice them in their marriage and family life.

(b) It advises couples after the priests in the parishes fail to achieve positive results and refer their case to the Tribunal.

(c) It handles cases of invalid marriages (marriage nullity cases) due to impediments, lack of free consent and lack of canonical form.

(d) It handles cases of the separation of spouses.

(e) It handles cases concerning dispensation from ratified and non-consummated marriage.

5. HOW TO CONTACT THE MARRIAGE TRIBUNAL FOR MARRIAGE CASES

(a) The spouse who thinks that their marriage is invalid should go to the Parish Priest and tell him about it giving the reasons for invalidity.

(b) The Parish Priest will then ask the spouse to give details about birth, parents, baptism, confirmation and marriage dates and places; usually given in the respective certificates. Witnesses of the marriage will have to be identified; events that took place before, during and after the wedding, together with those who witnessed such events, date of separation, etc. Everything is to be written down by the Parish Priest or his Secretary.

(c) Witnesses of the invalid marriage are to be identified.

(d) The spouses of the invalid marriage are then, together with the witnesses, to be invited by the Parish Priest.

(e) The Parish Priest will then try to reconcile the spouses.

(f) When reconciliation fails or if proofs of the invalid marriage are clear, then the accuser of the invalid marriage together with the Parish Priest are to present the invalid marriage case to the Judicial Vicar (Marriage Tribunal) to be handled in accordance with Canon Law. In case of the need for telephone contact to the Tribunal, use the following telephone numbers: 0773 752397 and 0772 570468.