

**SACRED HEART MAJOR SEMINARY
COURSE SYLLABUS**

Course Number and title: SHMS MNS 306 – MARRIAGE AND NULLITY

Academic Year: 2009-2010 Term II

Semester Hours: 2

Class location: TBA

Class time: Tuesdays, 6:30-8:30 p.m.

Dates: See below

Instructor: Mr. Michael Trueman, M. Div., J.C.L.

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I. COURSE DESCRIPTION:

Building upon the foundational understandings of Canon Law this course gives an in-depth treatment of the theology of marriage contained in the Code. Canonical concerns about catechesis and preparation for marriage are addressed. The processes for the declaration of nullity and dissolution receive detailed concentration, as well as the forms and pastoral style needed to minister well to those who seek to have the status of their marriages reviewed by the Church.

II. REQUIRED TEXTS

- VERE, P. and J. RAPP, *Annulment: 100 Questions and Answers for Catholics*, Servant Books, Cincinnati, Ohio, 2009, 117 p.
- SMITH-FOSTER, M., *Annulment: The Wedding that Was*, Paulist Press, Mahwah, New Jersey, 1999, 205 p.
- A copy of an English-language edition of the 1983 Code of Canon Law (see below for recommended volumes) or access to the 1983 Code of Canon Law on the Vatican website (www.vatican.va).

Recommended texts:

- CAPARROS, E., M. THÉRIAULT, and J. THORN (eds.), *Code of Canon Law Annotated*, Latin-English edition of the Code of Canon Law and English-language translation of the 6th Spanish-language edition of the commentary prepared under the responsibility on the Instituto Martín de Azpilcueta, Wilson and LaFleur, Montréal, 2004, 2006 p.
- BEAL, J., J. CORIDEN, and T. GREEN, (eds.), *New Commentary on the Code of Canon Law*, commissioned by the CANON LAW SOCIETY OF AMERICA, New York, Paulist Press, 2000, 1952 p.
- HUELS, J., *The Pastoral Companion: A Canon Law Handbook for Catholic Ministry*, Wilson and LaFleur, Montréal, 2009, 494 p.
- PETERS, Edward, *Annulments and the Catholic Church*, Westchester, PA, Ascension Press, 2004, 197 p.

III. STUDENT OUTCOMES AND OBJECTIVES:

1. To obtain a deeper understanding of the canonical dimensions of marriage.
2. To learn the proper questions to ask and areas to explore pastorally while serving as an initial contact for Catholics, lapsed Catholics, those from other faiths, and those with no religious faith at all, who seek the matrimonial services of the Church.
3. To become familiar with procedures which are necessary for assisting those wishing to enter marriage in the Church, or who are seeking to regularize irregular marriage situations.

IV. GENERAL OUTLINE OF THE COURSE:

January 19: Theology of Marriage and Marriage in the Code of Canon Law
January 26: Marriage Preparation, Provincial Norms and Legal Impediments
February 3: Diriment Impediments
February 9: Convalidation and *Sanatio in radice*
February 16: Lack of Canonical Form and Defects of Form
February 23: Pauline Privilege, Privilege of the Faith, and Non-Consummation Cases
March 2: MIDTERM EXAM / Marriage Consent and Invalidating Defects: Psychological Grounds
March 16: Marriage Consent and Invalidating Defects: Simulation Grounds
March 23: Marriage Consent and Invalidating Defects: Other Grounds
March 30: The Parties in an Annulment Case and Officers of the Court
April 6: The Ordinary Contentious Trial
April 13: The Ordinary Contentious Trial and Other Processes
April 20: Preliminary Information Form and Advocate's Brief
April 27: FINAL EXAM

V. REQUIRED COURSE WORK:

- Complete the reading assignments from the required texts for each class.
- Read and prepare observations on pertinent periodical articles for in-class discussion.
- Accurately complete the Preliminary Information Form and write an Advocate's Brief.
- Complete the mid-term exam (material from February 19-February 23)
- Complete the final exam (material from March 2-April 20)

VI. GRADE COMPOSITION

- Attendance (10%)
- Participation in class discussions (10%)
- Preliminary Information Form and Advocate's Brief (10%)
- Mid-term exam (35%) (material from February 19-February 23)
- Final exam (35%) (material from March 2-April 20)

VII. BIBLIOGRAPHY

To be distributed at the first class.