

## **Procedure and Practice of Matrimonial Law (46:640)**

Saint Meinrad Seminary and School of Theology | Spring 2022  
Thurs. 215 pm – 405 pm | Newman Hall 215

*[Syllabus v1 dated 8 Feb. 2022]*

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**Office Hours:** Tues. & Fri. 130 pm – 3 pm; and by appointment

### **COURSE DESCRIPTION, OBJECTIVES, AND OUTCOMES**

#### **Course Description**

By focusing largely on the practices and procedures of marriage law, this course complements the treatment of substantive marriage law that occupied a significant part of the Canon Law II course. It is intended for those who have a special interest in marriage law or who anticipate frequently being called upon to deal with marriage questions in their ministry. The course will begin with a review of the three major categories that determine the validity of a marriage, namely, canonical form, marriage impediments, and defects of consent. It then will proceed to examine the procedures for the principal types of marriage cases: the documentary process, the formal case, and the shorter process described in the *motu proprio* of Pope Francis, *Mitis Iudex Dominus Iesus*. The course will focus on a number of case studies, and also will address special marriage procedures for convalidation, radical sanation, and “favor of the faith” cases.

#### **Course Objectives**

The objectives of this course are the following:

- to inspire reverence for sacrament of marriage;
- to familiarize the students with the norms for marriage validation, dissolution, and petitions for nullity, and to enable them to explain these norms and the reasons for them;
- to enable the students to gain an understanding of challenging questions that regularly arise in connection with marriage law and procedure;
- to prepare the students for their pastoral ministry; and
- to impart an understanding of how the sacraments structure the Church and give rise to relations of justice.

#### **Program Outcomes**

This course aims to help students to achieve the following goals of the M.Div. Degree:

- to understand and communicate the biblical, historical, and doctrinal dimensions of Catholic belief and practice;
- to communicate effectively Church teaching, moral teaching, and Church history and tradition;
- to understand and deliver effective pastoral care and counseling; and
- to integrate knowledge and practice attentive to the contemporary context.

## TEXTS

### Principal Required Texts

John M. Huels, *The Pastoral Companion*, 5th ed. (Wilson & Lafleur, 2016)

Lawrence G. Wrenn, *The Invalid Marriage* (CLSA, 1998)

G.J. Woodall, *A Passion for Justice: An Introductory Guide to the Code of Canon Law* (Gracewing, 2011)

*Code of Canon Law, Latin-English Edition*, new English translation (CLSA, 2012)  
**[N.B. Any English translation of the Code may be used.]**

### Other Shorter or Excerpted Required Texts (most available online)

Wojeiech Kowal & William H. Woestman, *Special Marriage Cases and Procedures* (St. Paul University, 2008):

- pp. 145-179 (Validation), *to be distributed*
- pp. 82-90 (history of *favor fidei* cases), *to be distributed*

Pope John Paul II, Allocution to the Roman Rota (1987), *to be distributed*

Pope Francis, Apostolic Letter motu proprio *Mitis Iudex Dominus Iesus* (15 Aug. 2015), available online:

[http://w2.vatican.va/content/francesco/en/motu\\_proprio/documents/papa-francesco-motu-proprio\\_20150815\\_mitis-iudex-dominus-iesus.html](http://w2.vatican.va/content/francesco/en/motu_proprio/documents/papa-francesco-motu-proprio_20150815_mitis-iudex-dominus-iesus.html)

Congregation for the Doctrine of the Faith, *Norms for Completing the Process for the Dissolution of the Matrimonial Bond in Favor of the Faith* (30 Apr. 2001), available online:

[http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20010430\\_favor-fidei\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20010430_favor-fidei_en.html)

Pontifical Council for Legislative Texts, Instruction *Dignitatis connubii* (to be observed by diocesan and interdiocesan tribunals in handling causes of the nullity of marriage) [Libreria Editrice Vaticana, 2005], available online:

[http://www.vatican.va/roman\\_curia/pontifical\\_councils/intrptxt/documents/rc\\_pc\\_intrptxt\\_doc\\_20050125\\_dignitas-connubii\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/intrptxt/documents/rc_pc_intrptxt_doc_20050125_dignitas-connubii_en.html)

Christopher O'Donoghue, "Marriages – Rata sed Non-Consummata," in *Catholic Tribunals: Marriage, Annulment, and Dissolution*, ed. Hugh F. Doogan (Newtown, NSW, Australia: EJ Dwyer, 1990): 397-411, *to be distributed*

John J. Kennedy, "The Dissolution of Marriage in Favor of the Faith: New Norms Invite a New Look at Our Practice," *CLSA Proceedings* 67 (2005): 123-162, *to be distributed*

John P. Beal, "Mitis Iudex Canons 1671-1682, 1688-1691: A Commentary," *The Jurist* 75 (2015): 467-538, *to be distributed*

### **Suggested Texts**

Klaus Lüdicke & Ronny E. Jenkins, *Dignitatis Connubii: Norms and Commentary* (CLSA, 2006)

William H. Woestman, *Canon Law of the Sacraments for Parish Ministry*, 2nd rev. ed. (St. Paul University, 2011)

Paolo Bianchi, *When is Marriage Null? Guide to the Grounds of Matrimonial Nullity for Pastors, Counselors, and Lay Faithful* (Ignatius, 2015)

Wojeiech Kowal & William H. Woestman, *Special Marriage Cases and Procedures* (St. Paul University, 2008):

- pp. 29-53 (*ratum non consummatum*)
- pp. 55-71 (Pauline Privilege)
  
- pp. 245-273 (forms for *ratum non consummatum* cases)
- pp. 239-240, 274-285 (forms for Pauline Privilege cases)
- pp. 239-241, 286-348 (forms for *Favor fidei* cases)

John P. Beal, "The Substance of Things Hoped For: Proving Simulation of Matrimonial Consent," *The Jurist* 55 (1995): 745-793

Apostolic Tribunal of the Roman Rota, *Subsidium* for the Application of the M.p. *Mitis Iudex Dominus Iesus* (Jan. 2016), available online:

<http://www.rotaromana.va/content/dam/rotaromana/documenti/Sussidio/Subsidium%2C%20english.pdf>

Pope Pius XII, Allocution to the Roman Rota (1942), *to be distributed if assigned*

Pope John Paul II, *Allocution to the Roman Rota* (1988), available online:

[https://w2.vatican.va/content/john-paul-ii/en/speeches/1988/january/documents/hf\\_jp-ii\\_spe\\_19880125\\_roman-rot.html](https://w2.vatican.va/content/john-paul-ii/en/speeches/1988/january/documents/hf_jp-ii_spe_19880125_roman-rot.html)

Apostolic Signatura, “An Unusual Manner of Handling Marriage Nullity Cases,” reprinted in *Roman Replies and CLSA Advisory Opinions 1996*, pp. 39-45, to be distributed if assigned

Congregation for the Doctrine of the Faith, *Pro Memoria* for “Favor of the Faith” cases, reprinted in *Roman Replies and CLSA Advisory Opinions 1990*, pp. 28-32, to be distributed if assigned

## GRADING AND ACADEMIC INTEGRITY

Your final grade will be composed of the following elements:

Attendance and Participation	25%
1C1Q Assignments (L4, L6, L7, L9, L11)	15%
Short Paper no. 1	25%
Short Paper no. 2	35%

*N.B. The Practicum assignment can substitute for both Short Papers. (See pp. 6-7 below.) Thus, if you do the Practicum, it will be worth 60% of your grade.*

The following is the grading scale:

A (93 to 100 points) – Work that shows mastery of the material and method, as well as the ability to apply the material and use the method with creativity and insight

A- (90 to 92 points) – Work that shows an almost complete mastery of the material and method, as well as a good ability to apply the material and use the method in generating new connections

B+ (87 to 89 points) – Work that shows a generally good grasp of the material and method, as well as an ability to apply the material and use the method

B (83 to 86 points) – Work that shows a basic understanding of the material and method, and some ability to apply the material and use the method

B- (79 to 82 points) – Work that does not show a satisfactory understanding of the material and method

C+ (76 to 78), C (73 to 75), C- (69 to 72) – Work that does not always show even a basic understanding of the material and method

D (60 to 68 points) – Work that does not show any appreciable understanding of the material and method

F (below 60) – Work that does not show any understanding of the material and method

Please arrive on-time for each class, or (if possible) let me know if you will miss a class. **Attendance and Participation** are important for our classroom discussions and for your

grade. One-half point will be deducted for each unexcused absence or tardy arrival. This component of your grade also takes into account your showing of respect for everyone in the classroom, especially by listening attentively at all times to whomever has the floor.

### **1C/1Q Assignments**

For Lessons 4, 6, 7, 9, and 11, you should prepare a **1C/1Q** assignment. That is, you should submit **either** a comment **or** a question on the reading (and/or video material) for each of these assignments. Each one is worth 3 points, and it should be submitted no later than the beginning of class for each of these lessons.

Even if you are auditing the class, you still should try to submit a 1C/1Q for the designated lessons.

### **Short Papers**

Two short papers of about 1000 words are assigned. (The first, as described below, may be slightly shorter, that is, between 750 and 1000 words.) Your papers should have a clear thesis statement in the first or second paragraph, and the body of your paper should support your thesis. You will be graded on your thesis statement, how well you support it, your understanding and use of our readings, clarity, effectiveness in dealing with opposing positions, and grammar.

*First Paper Assignment.* The first paper will be on canonical form. As you will see early in the course, the law on canonical form has been revised several times. In addition, it seems like every possible position solves some problems, but leaves other problems unresolved. Your assignment is to write a paper of 750 to 1000 words (about 3 to 4 pages) on what you think the law on canonical form should be (and why). You might give some thought to whether it is possible to find a solution that leaves fewer difficulties unresolved. *Some possible positions that one might take would include the following:*

- The requirement of the current law, namely, that Catholics (and those marrying them) be required to follow canonical form (or get a dispensation) as a condition for validity, should be maintained.
- Canonical form should be required, but only for liceity, not for validity. [This basically was the discipline of the IV Lateran Council (1215), until the Council of Trent (1545-1563) required observance of canonical form for validity.]
- Canonical form should not be required, either for validity or liceity. [This basically was the discipline that prevailed in the first 1200 years of the Church's life.]
- The current requirement regarding canonical form should be maintained, but there should be an exception for *extra ecclesiam* Catholics, that is, those who were baptized Catholic, but were not raised in the faith. [This basically was the position of the 1917 Code of Canon Law.]

- The current requirement regarding canonical form should be maintained, but there should be an exception for Catholics who have left off the practice of the faith or who wish to disaffiliate with the Church. [This basically was the position of the original 1983 Code and the procedure that Pope Benedict XVI had in place from 2006 until 2009.]

The First Paper will be due in three weeks, on **February 24, 2022**. It is worth 25 points.

*Second Paper Assignment.* The Second Paper will be at least 1000 words (about 4 pages). You may write on one of the following topics:

(A). *Dissolution.* Do you have any reservations about the pope's dissolution of marriages? We say that marriage is indissoluble by its nature, but law and tradition recognize some instances in which the pope may dissolve valid marriages. Are we Catholics being hypocrites? (Recall that the Holy Office's 1934 instruction on *favor fidei* cases was "reserved"? Does this indicate the Holy See's own reluctance to have a light shone on this practice?) Or is this power (the pope's power to dissolve) a useful tool, and perhaps even one that he should exercise even more often? That is, does the possibility of dissolution represent an extension of pastoral care to people in need, while also remaining true to Catholic teaching on marriage?

(B). *Mitis Iudex.* In *Mitis Iudex*, Pope Francis reformed the nullity process: he did away with the requirement of double conforming sentences; he made one-judge tribunals more common (as opposed to three-judge tribunals); he changed the rules of competence to the benefit of petitioners; he took measures to speed up the nullity process; and he made other changes as well. Do you welcome these changes or regret them? Do they amount to an overdue injection of mercy into the nullity process, or do they tilt the balance between mercy and truth too emphatically away from truth? Or do you have a mixed view, welcoming some of the changes more than others?

The Second Paper is worth 35 points, and it will be due on **Monday, May 4, 2022**.

### **Practicum Option** [substitute for the two Short Papers assignments]

We will try to offer you the option of doing a Practicum on marriage law, if you would like to do so. Doing the Practicum would substitute for the two Short Paper assignments. Thus, the Practicum would be worth 60 points.

The probable focus of the Practicum would be to work on a marriage case under the guidance of a Defender of the Bond. Your assignment would be to attend an instructional session, to familiarize yourself with the relevant marriage file, to conduct any necessary research, and to prepare a draft of Observations by the Defender of the Bond.

Another possibility might be to work on a marriage case arising from the parish where you are providing ministry. You would need to consult with the pastor, and, if such a case is

available, your role would be to conduct (or assist with) the initial interview of the petitioner and to assist him or her in completing the relevant forms for the tribunal's review. (If you are unable to work on a case at the parish where you are serving, but still wish to pursue this option, it may be possible to find a case for you at another parish.)

You should decide if you would like to do a Practicum by **February 24**, and if so, you should decide what type and verify its feasibility with me by **March 10**. Your project should be complete no later than **May 2**.

### **“Science in Seminaries” Program**

In this course, we are participating in the ongoing “Science in Seminaries” program. You may have heard Father Thomas discuss it on the local Public Radio station in 2021. He and Dr. Lemna are leading SMA's participation in the program.

We hope to include science in this course by dedicating at least one class session to the subject of medical and psychological evidence in “lack of due discretion” (can. 1095 §2) and “lack of due competence” (can. 1095 §3) cases. Our hope is to have a guest speaker appear during one of our class sessions to address this subject. This may require some adjustment in our schedule (see pp. 8-14 of this Syllabus).

As part of our participation in the program, students are asked to complete a survey both at the beginning of the course and at its end. The following is the link to the survey for the beginning of the course:

<https://www.surveymonkey.com/r/Science4SeminariesPreCourse>.

Please complete the pre-course survey by **Monday, Feb. 14, 2022**.

### **Electronic Devices**

I encourage you to take notes during class and to do so in the “old school” fashion of pen and notebook. (Father Prior Bede recently came across the following article suggesting the superior effectiveness of this method: <https://www.brookings.edu/research/for-better-learning-in-college-lectures-lay-down-the-laptop-and-pick-up-a-pen/>.) Nevertheless, if you wish to use an electronic device to take notes, you may do so. However, you may not use it for any other purpose (such as email or accessing the Internet) without my express permission. All other electronic devices must be kept out of sight and turned off.

### **Plagiarism and Other Violations of Academic Integrity**

You are responsible for knowing and following Saint Meinrad Seminary's policy on Academic Integrity, which prohibits plagiarism and other uncredited uses of another person's work. You may find the policy at the following link: <http://www.saintmeinrad.edu/priesthood-formation/academic-formation/academic-regulations/academic-integrity/>

Note that consequences for violations of this policy “include, but are not limited to, a reduced grade for the assignment, reduced grade for the course, suspension from the school.”

## CALENDAR AND SCHEDULE

### Lessons, Schedule, and Reading Assignments

I. INTRODUCTION—Overview—Judicial Power—Church Tribunals—Tribunal Personnel—Competence—Brief Biography of a Nullity Case—Judicial Processes and Administrative Procedures.—**Feb. 3**

- Read the course Syllabus and bring a copy to class.
- Review your Canon Law II notes on the Theological Background and History of Marriage. If you took Canon Law II in Fall 2020 or 2021, these would be your notes for Lesson 9 (corresponding to chapter 12 of Woodall).
- If you took notes on your J-Term session on Marriage Nullity, review those notes.
- *Dignitatis connubii*, arts. 22, 30, 38, 43, 50, & 56 [see pp. 2-3 of this Syllabus for a link].

II. CANONICAL FORM, PART 1—History—Fourth Lateran Council—The requirement of canonical form: Trent and the decree *Tametsi* (1563)—The decree *Ne temere* (1907)—The question of who is bound by form—The 1917 Code—Pope Pius XII—The 1983 Code—The so-called “formal act of defection”—*Omnium in mentem* (2009). —**Feb. 10**

#### - Review

- Woodall, chap. 14 (pp. 406-416 **only**) and your Canon Law II notes on Canonical Form [Lesson 12 if you took the course in Fall 2020 or 2021]

#### - Read

- Huels, chap. 11 (pp. 279-288 **only**)
- cann. 1108-1123 (*especially* cann. 1108, 1111, 1117, 1119)
- *Dignitatis connubii*, art. 5

III. CANONICAL FORM, PART 2—Dispensation—Delegation—Marriage to an Orthodox Christian—*Ecclesia supplet*—Lay Officiants—The Extraordinary Form—Liturgical Celebration—Recording. **Feb. 17**

#### - Read



- Huels, chap. 11 (pp. 288-306 **only**)
- cann. 1124-1129 (*especially* 1124, 1125, 1127)

**Feb. 24 – First Short Paper due**

IV. IMPEDIMENTS (AND THE DOCUMENTARY PROCESS)—**Feb. 24**

**- Review or skim**

- Review: Woodall, chap. 13 (pp. 370-386 **only**) and your Canon Law II notes on Impediments
- Skim: Wrenn, pp. 7-20 (on the impediment of impotence)
- Skim: Huels, chap. 9 (pp. 227-237 **only**)

**- Read**

- Woodall, chap. 18 (**only** from bottom of p. 516 to middle of p. 517)
- *Dignitatis connubii*, arts. 295-299
- Huels, chap. 9 (pp. 237-253 **only**)

**1C/1Q Assignment due at beginning of class.**

**- Suggested reading**

- Roman Rota, *Subsidium*, pp. 43-44

V. SPECIAL (ADMINISTRATIVE) PROCEDURES, PART 1: VALIDATION—  
Convalidation—Radical Sanation—Defective Convalidation.—**Mar. 3**

*N.B. I likely will be out of town on Mar. 3, so we probably will switch Lesson 5 with Lesson 8 (on the Formal Process). You can do the readings for Lesson 8 and watch the listed video in my absence on or before Mar. 3.. When I return, we can address any questions that you have. Note that Lesson 8 is connected with Lesson 9 (on “Mitis Iudex”), so you may wish to watch the video for L9 as well, though it would be fine to leave the L9 reading until later.*

**- Read**

- Kowal/Woestman, pp. 145-179, *to be distributed* [key reading for this lesson]
- Woodall, chap. 14 (pp. 420-422 **only**)

- Huels, chap. 12 (pp. 322-332 **only**)
- Wrenn, pp. 168-171
- cann. 1156-1165 [N.B. *The canons are reproduced in the reading from Kowal/Woestman.*]

**- Suggested reading**

- Woestman, *Canon Law of the Sacraments for Parish Ministry*, pp. 457-472
- Paolo Bianchi, *When is Marriage Null?* (Ignatius, 2015), 263-285

**VI. SPECIAL (ADMINISTRATIVE) PROCEDURES, PART 2A: DISSOLUTION—  
The Unconsummated (*ratum non consummatum*) Marriage—The Pauline Privilege.—  
Mar. 10**

**- Read**

- 1 Cor. 7.12-17
- Huels, chap. 12 (pp. 307-317 **only**) [*key reading for this lesson*]
- O'Donoghue, "Marriages – Rata sed Non-Consummata" [*key reading for this lesson*]
- Woodall, chap. 14 (pp. 422-425 **only**)
- Woodall, chap. 18 (pp. 517-519 **only**)
- cann. 1143-1147 (Pauline Privilege)
- cann. 1142, 1697-1706 (*ratum non consummatum*)

**1C/1Q Assignment due at beginning of class.**

**- Suggested Reading**

- on *ratum non consummatum*
  - Kowal & Woestman, pp. 29-53
  - Kowal & Woestman, pp. 239-273 (forms for *non consummatum* cases)
  - Woestman, *Canon Law of the Sacraments* (2011), 437-439

- Bianchi, 287-315
- on the Pauline Privilege
  - Kowal & Woestman, pp. 55-71
  - Kowal & Woestman, pp. 239-240, 274-285 (forms for P.P. cases)
  - Woestman, *Canon Law of the Sacraments* (2011), 439-446

VII. SPECIAL (ADMINISTRATIVE) PROCEDURES, PART 2B: DISSOLUTION—  
The Favor of the Faith (*favor fidei*)—The Age of Exploration—Papal Decrees of the  
16C—The 20C—The so-called “Helena” Case—The so-called “Fresno” case—Pope Paul  
VI—CDF Norms.—**Mar. 17 & 24**

- For 3/17

- Read

- Kowal & Woestman, pp. 82-90 (history of *favor fidei* cases), *to be distributed*
- Woodall, chap. 14 (pp. 426-428 **only**)
- Woodall, chap. 18 (pp. 519-520 **only**)
- Huels, chap. 12 (pp. 317-320 **only**)
- **Suggested viewing: “video 1” from Spring 2020** (History of “favor fidei” cases), <https://youtu.be/1bQ9xXkRkso> [26 min.]

**1C/1Q Assignment due at beginning of class.**

- For 3/24

- Read

- Congregation for the Doctrine of the Faith, *Norms for Completing the Process for the Dissolution of the Matrimonial Bond in Favor of the Faith* (30 Apr. 2001)
- Kennedy, “The Dissolution of Marriage in Favor of the Faith: New Norms Invite a New Look at Our Practice”
- **Suggested viewing: “video 2” from Spring 2020** (Norms on “favor fidei” cases), <https://youtu.be/XpW96bwzjUo> [29 min.]

**- Suggested reading**

- Kowal & Woestman, pp. 239-241, 286-348 (forms for F.F. cases)
- Consider skimming cann. 1151-1155, 1692-1696 (administrative procedure for the separation of the spouses)

**VIII. THE FORMAL PROCESS—Mar. 31**

*N.B. As discussed above under Lesson 5, I likely will be out of town on Mar. 3, the scheduled date for L5, so we likely will switch L5 with L8 (on the Formal Process), since a video is available for L8. You can do the readings for Lesson 8 and watch the listed video in my absence. When I return, we can address any questions that you have. Note that L8 is connected with Lesson 9 (on “Mitis Iudex”), so you may wish to watch the video for L9 as well, though it would be fine to leave the L9 reading until later.*

**- Read**

- Woodall, chap. 18 (pp. 495-517 **only**) [*key reading for this lesson*]
- Huels, chap. 12 (pp. 320-322 **only**)
- *Dignitatis connubii*, arts. 114-142

**- Watch “video 3” from Spring 2020** (the Formal Process),  
<https://youtu.be/DQD2MuU6QLk> [34 min.]

**- Suggested reading**

- Roman Rota, *Subsidium*, pp. 23-31

**IX. MITIS IUDEX AND THE “BRIEFER PROCESS”—Apr. 7**

**- Read**

- Francis, *Mitis Iudex*
- Beal, “*Mitis Iudex* Canons 1671-1682, 1688-1691: A Commentary,” *to be distributed*

**- Watch “video 4” from Spring 2020** (“Mitis Iudex”),  
[https://youtu.be/4Z3E5rrv\\_Kg](https://youtu.be/4Z3E5rrv_Kg) [37 min.]

**1C/1Q Assignment due at beginning of class.**

**- Suggested reading**

- Roman Rota, *Subsidium* for the Application of *Mitis Iudex*, especially pp. 32-42

X. DEFECTS OF CONSENT, PART 1A: INCAPACITY—Lack of Due Reason—can. 1095 §1.—**Apr. 21** [*Note that L11 also will be covered on Apr. 21, along with L10.*]

**- Review**

- Woodall, chap. 13 (pp. 386-389 **only**) and/or your Canon Law II notes on Lack of Due Reason from the lesson on Defects of Consent [Lesson 11 if you took the course in Fall 2020 or Fall 2021]

**- Read**

- Huels, chap. 10 (pp. 255-259 **only**)

- Wrenn, pp. 21-24

- can. 1095 §1

XI. DEFECTS OF CONSENT, PART 1B: INCAPACITY—Lack of Due Discretion—can. 1095 §2.—**Apr. 21** (*sic!*)

**- Review**

- Woodall, chap. 13 (pp. 389-392 **only**) and/or your Canon Law II notes on Lack of Due Discretion from the lesson on Defects of Consent [Lesson 11 if you took the course in Fall 2020 or Fall 2021]

**- Read**

- Huels, chap. 10 (pp. 259-260 **only**)

- Wrenn, pp. 25-43, 184-201

- can. 1095 §2

**- Watch “video 5” from Spring 2020 (Lack of Due Reason & Lack of Due Discretion), [https://youtu.be/n\\_pke-T-JCc](https://youtu.be/n_pke-T-JCc) [38 min.].**

**1C/1Q Assignment due at beginning of class.**

**Guest Speaker – Dr. Jillian Hawks**

XII. DEFECTS OF CONSENT, PART 1C: INCAPACITY—Lack of Due Competence—**Apr. 28**

**- Review**

- Woodall, chap. 13 (pp. 392-393 **only**) and/or your Canon Law II notes on Lack of Due Competence from the lesson on Defects of Consent [Lesson 11 if you took the course in Fall 2020 or Fall 2021]

**- Read**

- Huels, chap. 10 (pp. 260-262 **only**)
- Wrenn, pp. 44-91 (lack of due competence)
- can. 1095 §3
- *Dignitatis connubii*, arts. 203-213

**- Watch “video 6” from Spring 2020 (Lack of Due Competence),**  
<https://youtu.be/uUY0kBpu-08> [32 min.].

**- Suggested reading:** John Paul II, *Allocution to the Roman Rota* (1987).

**May 2 – Second Short Paper due** [*Practicum also due if you chose that project over the Reflection Papers*]

**XII. DEFECTS OF CONSENT, PART 2—May 5**

**- Review**

- Woodall, chap. 13 (pp. 393-405 **only**) and/or the remainder of your Canon Law II notes on Defects of Consent [Lesson 11 if you took the course in Fall 2020 or Fall 2021]

**- Read**

- Huels, chap. 10 (pp. 263-278 **only**)
- Wrenn, pp. 92-167 (on ignorance, error, simulation, conditions, force/fear)

**- Suggested reading**

- Beal, “The Substance of Things Hoped For: Proving Simulation of Matrimonial Consent”

C22-I-2022; R8-II-2022