

Publication; Sentence; Second Instance

I. Publication and Conclusion

- Schematic Overview: Advocate encourages and dialogues.
- Publication (c. 1598, §1; DC art. 229)
- Conclusion: The Proofs have been gathered and must be evaluated (c. 1599, 1; DC art. 237)

II. Advocate's Brief

- Why and when
- A look at a sample
- Keep it simple and to the point

III. Observations of the Defender of the Bond

- The work of the Defender
- Importance of the work of the Defender
- A recent statement by Pope Francis

IV. Drafting the Sentence

- The Finished Product (c. 1607)
- The Nature of a Definitive Sentence (c. 1611; DC art. 250)
- Moral Certitude (c. 1608; DC art. 247)
- Considerations regarding the Evaluation of Proofs
 - Declarations of the Parties
 - Testimony of Witnesses
 - The Report of the Expert Witness
 - Documents
 - Presumptions
 - Observations of the Defender of the Bond
 - Advocate's Brief
- Elements of a Sentence (c. 1612; DC art. 253)
- The Nullity of a Sentence
 - Irremediable Nullity (c. 1620)
 - Remediable Nullity (c. 1622)
- The Effect of the Sentence (c. 1614)

V. Second Instance

- The Sentence is sent for Ratification (c. 1682, §2; DC art. 265)
 - Ratification by decree
 - Sentence following Ordinary Examination
- The Right to Appeal (c. 1628; DC art 279)
 - Fees
 - Rome \$850 plus
 - Philadelphia \$450
 - Appeal of an Affirmative
 - Appeal of a Negative – Ordinary Examination (DC art. 266)
 - Other Options
 - Approach another Tribunal
 - Renunciation before a Negative judgment
 - Abatement
- Third Instance? (c. 1644, §1; DC art. 290)

Conclusion

- Review of Advocate's Role during the Process