



PONTIFICIUM CONSILIUM
DE LEGUM TEXTIBUS

Vatican City, February 20, 2017

Prot. N. 15700/2016

Dear Father _____,

I write in response to your letter of 7 November last, in which you posed three questions to this Pontifical Council regarding the m. p. *Mitis Iudex Dominus Iesus* (*MIDI*). Having examined your inquiries, in collaboration with some of our consultors, I am pleased to offer the following indications.

Concerning your first question, this Dicastery holds that the expression of can. 1680 §2 in the m.p. "*MIDI*" «*si appellatio mere dilatoria evidenter appareat, tribunal collegiale, suo decreto, sententiam prioris instantiae **confirmet***», taken in the context of the entire can. 1680, must be understood in the sense that the collegiate tribunal of second instance, having reached moral certainty after the examination of the acts and the judgment of first instance as well as the appeals and the observations of the Defender of the Bond, and having verified that the appeal has manifestly dilatory purposes *evidenter appareat*, must confirm by decree the judgment of the first instance.

Regarding your second question about the possibility of appeal to the Metropolitan Tribunal by dioceses that are part of the Inter-diocesan Tribunal whose suppression was sought, we maintain that, so long as the Inter-diocesan Tribunal of Appeal is not suppressed and the link with which it was formally established is not legitimately changed, the aforementioned dioceses cannot appeal to the Metropolitan Tribunal.

With respect to your third question, we consider that the *acta* of the *Processus brevior* are included in the same restrictive regime that the law provides for judicial acts of matrimonial processes.

I hope that the above information will be helpful to you. Be assured of my best prayerful wishes for your ministry.

Sincerely yours *in Domino*

✠ Francesco Card. Coccopalmerio
President

✠ Juan Ignacio Arrieta
Secretary