

In 2015, Pope Francis reformed the process for declaring marriage nullity. This received a wide coverage in the media, with some outlets even calling it “a church divorce within 45 days”. In fact, a new type of court proceedings in Catholic Church was introduced, referred to as the briefer process before the bishop (the so-called *processus brevior*) which can be faster and more efficient than the traditional proceedings. What was new, among other things, was that the diocesan bishop became competent to decree the nullity of marriage provided that certain conditions were met, and not the ecclesiastical court as had been the practice before.

The purpose of the present research project is to explore the operation of the procedure in Poland along with the issues that arise in its application. Although the regulations seem simple at a first glance, their interpretation is highly contentious. In order to start the briefer process, two conditions must be met jointly: firstly, both spouses must submit a consensual request, and secondly, the marriage nullity must be manifest. What does it truly mean?

This project will analyze the difficulties faced by ecclesiastical judges when trying to construe these concepts. Do spouses have to consent to everything or is a general consent sufficient? Can the briefer process be initiated on the basis of a number of reasons for nullity or just one? What should be done when one spouse cannot formally express a consent, for example because of illness or imprisonment? What does it mean that a marriage is “manifestly invalid”? For nullity to be declared “manifest”, does it suffice that the spouses have shared a conjugal living for just a few weeks or that a serious illness has been concealed before the nuptials?

In the present project, the research will focus on all briefer processes conducted in Poland in the years 2016–2025. Apart from analyzing the judgements, the scope of the study will also include a review of court files and a survey among judicial vicars who are clergymen responsible for conducting the proceedings. This will provide an insight why some dioceses hardly ever resort to the briefer process while others initiate them increasingly more frequently.

This project focuses on several aspects. Its objective is not only to systematize the knowledge on the conditions necessary to initiate the briefer process, but also to create tools that will make it easier for ecclesiastical courts to apply the law consistently. Ultimately, the project will ensure that individuals who have indeed entered into an invalid marriage can faster and in a more streamlined way settle their legal situation within the Church, without the risk of abuse or interpretational errors. The findings of the project will encourage further work on improving the interpretation of the church law, which will be beneficial to the congregation and the administration of justice.

Not only are papers absent from canonical literature which exhaustively analyze the conditions requisite to initiate the briefer process, but there are no publications which would holistically elaborate on this matter, either. Furthermore, no case file research or surveys have been conducted. This is why the author will endeavor to furnish these, as they would complement the existing dogmatic and legal analyses.