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Code of Canon Law

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TITLE I.

THE COMPETENT FORUM (Cann. 1404 - 1416)

Can. 1404 The First See is judged by no one.

Can. 1405 §1. It is solely the right of the Roman Pontiff himself to judge in the cases mentioned in [⇒](#) can. 1401:

1/ those who hold the highest civil office of a state;

2/ cardinals;

3/ legates of the Apostolic See and, in penal cases, bishops;

4/ other cases which he has called to his own judgment.

§2. A judge cannot review an act or instrument confirmed specifically (*in forma specifica*) by the Roman Pontiff without his prior mandate.

§3. Judgment of the following is reserved to the Roman Rota:

1/ bishops in contentious matters, without prejudice to the prescript of [⇒](#) can. 1419, §2;

2/ an abbot primate or abbot superior of a monastic congregation and a supreme moderator of religious institutes of pontifical right;

3/ dioceses or other physical or juridic ecclesiastical persons which do not have a superior below the Roman Pontiff.

Can. 1406 §1. If the prescript of [⇒](#) can. 1404 is violated, the acts and decisions are considered as not to have been placed.

§2. In the cases mentioned in [⇒](#) can. 1405, the incompetence of other judges is absolute.

Can. 1407 §1. No one can be brought to trial in first instance except before an ecclesiastical judge who is competent by reason of one of the titles determined in cann. 1408-1414.

§2. The incompetence of a judge supported by none of these titles is called relative.

§3. The petitioner follows the forum of the respondent. If the respondent has more than one forum, the choice of forum is granted to the petitioner.

Can. 1408 Anyone can be brought to trial before the tribunal of domicile or quasi-domicile.

Can. 1409 §1. A transient has a forum in the place of his or her actual residence.

§2. A person whose domicile, quasi-domicile, and place of residence are unknown can be brought to trial in the forum of the petitioner provided that no other legitimate forum is available.

Can. 1410 By reason of the location of an object, a party can be brought to trial before the tribunal of the place where the object in dispute is located whenever the action is directed against the object or concerns damages.

Can. 1411 §1. By reason of a contract, a party can be brought to trial before the tribunal of the place where the contract was entered into or must be fulfilled unless the parties agree to choose some other tribunal.

§2. If the case concerns obligations which originate from another title, a party can be brought to trial before the tribunal of the place where the obligation either originated or must be fulfilled.

Can. 1412 In penal cases the accused, even if absent, can be brought to trial before the tribunal of the place where the delict was committed.

Can. 1413 A party can be brought to trial:

1/ in cases which concern administration, before the tribunal of the place where the administration was conducted;

2/ in cases which regard inheritances or pious legacies, before the tribunal of the last domicile, quasi-domicile, or place of residence, according to the norm of ⇒ cann. 1408-1409, of the one whose inheritance or pious legacy is at issue unless it concerns the mere execution of the legacy, which must be examined according to the ordinary norms of competence.

Can. 1414 By reason of connection, interconnected cases must be adjudicated by one and the same tribunal in the same process unless a prescript of law prevents this.

Can. 1415 By reason of prevention, if two or more tribunals are equally competent, the right of adjudicating the case belongs to the one which legitimately cited the respondent first.

Can. 1416 The appellate tribunal resolves conflicts of competence between tribunals subject to it; if the tribunals are not subject to the same appellate tribunal, the Apostolic Signatura resolves conflicts of competence.

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