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## National Appellate Matrimonial Tribunal

This tribunal handles cases of annulment for Catholic marriages in the Philippines. These cases are elevated from lower tribunals of the Catholic Church to this Appellate Tribunal which functions somewhat like the appellate courts of the land or the Supreme Court.

In order to be executory, a declaration of nullity of a marriage needs two positive decisions from two pertinent tribunals: the "first instance" and the "second instance" tribunals ordinarily.

From 1940 to 1956, there were only three *first instance* courts of the Catholic Church in the Philippines: the one in Manila, Cebu, and Lipa. Manila had Lipa as its *second instance*, Lipa had Cebu, and Cebu had Manila. From 1956 to 1972, the Church's Superior Court of Appeals at the University of Santo Tomas served as the *second instance* tribunal for the country. From 1972 to 1984, the Apostolic See granted that each tribunal of *first instance* in the Philippines could act as tribunal of *second instance* to the other tribunals in individual cases, or as the need may require.

Due to the increasing number of marriage tribunals of the Church in the country and of matrimonial cases specially in Manila, Archbishop Oscar Cruz proposed to the CBCP the constitution of an Appellate Matrimonial Tribunal in the Archdiocese of Manila. The request went all the way to Rome and was granted. Thus in May of 1984, the erection of the National Appellate Matrimonial Tribunal became a reality, with Archbishop Oscar Cruz as its first Judicial Vicar and Presiding Judge. It is supposed to be a national *second instance* tribunal with competence not only over matrimonial cases but also over all other cases, both contentious and criminal, within the context of the Catholic religion.

On September 27, 1985, the Holy See approved the following CBCP norms on the National Appellate Matrimonial Tribunal: 1) that it be a single appellate court established for all judicial cases from the territory of the Episcopal Province of the Philippines, the seat of which is in Manila; 2) the appointment of the officials of the Tribunal belongs to the Episcopal Conference and the duration of their terms is for

three years, and they may be reappointed without interstices; 3) a just compensation for their work shall be determined by the Bishops' Conference; 4) removal with cause from office or acceptance of resignation belongs in the same manner to the Bishops' Conference; and 5) to the Archbishop of Manila will be attributed the powers and jurisdiction over the Appellate Court.

Archbishop Oscar Cruz left the Tribunal soon after it was formed, but was reappointed Judicial Vicar again in 1989 and has retained the position until the present, 1995.

Judicial Vicar: [Abp. Oscar V. Cruz, JCD](#)

Adjunct Judicial Vicar: [Bp. Nereo P. Odchimar, JCD](#)

Judges: Msgr. Artemio Baluma, JCD

Msgr. Victorino Rivas, JCD

Msgr. Higinio Velarde, JCD

Fr. Hermogenes Bacareza, SVD, JCD

Fr. Javier Gonzales, OP, JCD

Fr. Florencio Testera, OP, JCD

Defender of the Bond: [Bp. Emilio Z. Marquez, JCL](#)

[Bp. Manolo A. de los Santos, JCL](#)

[Bp. Antonio R. Tobias, JCL](#)

Fr. Rafael Magno, JCD

Fr. Benildus Maramba, OSB, JCL

Advocate: Atty. Benigno Serafica, JCD

Ecclesiastical Notary: Sr. Ma. Dolores C. Daquilanea, AR

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