

## **Abstract**

Application of can. 1095 no. 3 of the Code of Canon Law from 1983 in the judgments of the Metropolitan Court in Katowice coram Sobański.

In the canonical legal system, marriage - until its nullity is proven - enjoys the favour of law, i.e. there is a presumption of its validity. One of the causes of nullity of marriage might be an inability of the psychological nature of one spouse to take the essential responsibilities of marriage (c. 1095 no. 3 CCL). It is currently the most frequently indicated basis in cases of annulment of marriage.

Priest professor Remigiusz Sobański was a prominent Polish canonist, who developed and promoted knowledge and research in the field of marital Canon Law. In area of scientific interests and judicial activity of this scholar there were cases of marriage annulment in which doubts formula included can. 1095 no. 3 CCL. The paper discusses the application of this reason for nullity in the judgments of nullity coram Sobański first and third instance of the Metropolitan Court in Katowice. It was impossible to ignore the important issues of procedural law relating to the issue of sentencing and evidence.

The paper is divided into four chapters. The first chapter is theoretic introduction. The second chapter is an introduction to the topic of sentences of coram Sobański against the background of law regulations. The third chapter is devoted to important marriage responsibilities and the incapacitating causes of psychological nature which are the most common in the judgments coram Sobański. The fourth and last chapter is devoted to the evidence which the judge used to take into account in his verdicts.

The paper presents an analysis of the style of redacting judgments by Professor Remigiusz Sobański and their compliance with the rules and the recommendations which Professor depicted in his research publications.