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LAY ATTORNEYS IN CANONICAL MARRIAGE CASES

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AN ATTORNEY WOULD BE the last one to assume an obligation in a legal capacity without proper preparation. The question immediately arises as to the requirements to practice canon law. Canon 1657 specifies that to be such an attorney one must at least have a doctorate or be otherwise truly skilled in canon law. The doctorate in canon law is earned by completing a three-year course of study in canon law at a pontifical university.[1] Catholic University, Washington, D.C., is the only pontifical university in the United States which has a school of canon law. In view of a declaration of the Sacred Congregation of Seminaries and Universities, issued May 23, 1948, a licentiate degree may suffice,[2] which degree may be obtained after two years of required courses.[3] Canon 1657 uses the word "at least" because canonical cases frequently presuppose concepts taken from other studies, *e.g.*, a case involving the validity of baptism would lead one to theology for a specification of the necessary matter and form of this sacrament.

A layman pursuing a course in canon law might encounter some difficulty in the use of Latin. The Code of Canon Law is in Latin. Most commentaries on the Code are in Latin to permit their use throughout the world. The decisions of the Sacred Roman Rota, which are published annually but always ten years after they are given, are in Latin. Most of the current literature in canon law is likewise in Latin.

A reading knowledge of Latin is a necessity for a canonist, especially to acquaint himself with the jurisprudence of the Rota. Frequently one hears the comment that the decisions of the Sacred Roman Rota are not binding on the lower courts. It is correct that canon law does not have the doctrine of "stare decisis," but Canon 20 does specify that if there is

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[1] Constitutio Apostolica, *Deus scientiarum Dominus,* 24 maii 1931, art. 45—Acta Apostolicae Sedis, XXIII (1931), 258.

[2] Acta Apostolicae Sedis, XL (1948), 260.

[3] Constitutio Apostolica, *Deus scientiarum Dominus,* 24 maii 1931, art. 43—Acta Aposteolicae Sedis, XXIII (1931), 258.

no general or particular law governing a matter, among other sources the usage and practice of the Roman Curia must be considered as supplementary law. For marriage cases there is no greater source of knowledge of the usage and practice of the Roman Curia than the jurisprudence of the Rota, which can only be learned by a study of the published cases.[4]

In addition to the required study, to be recognized as an attorney in an ecclesiastical trial there is the requirement of approval of the bishop of the diocese.[5] Such approval, naturally, would only be given to one about whose character and reputation there is no question.

It might be noted that the Official Catholic Directory of the United States, published annually, lists many clergy as approved attorneys who have not had the required studies. Canon 1657 does permit the approval of an attorney without the required formal study in the case of one who is truly skilled in canon law. The seminary curriculum requires extensive courses in canon law and frequently a bishop will be able to find among his priests some who have been outstanding in this field, and especially in the substantive law of marriage.

Another factor which might discourage an attorney from obtaining the necessary qualifications and seeking approval to practice in canon law is the matter of remuneration. Every professional man is willing and ready to do his share of charity but justly he feels that a client who has the means should be disposed to pay a reasonable fee. No one should object to this in principle. On the other hand, Canon 1909, Section 1 specifies that ecclesiastical authority is to determine the fees to be asked by attorneys.

In general, canonical attorneys in the United States have been priests and they have been giving their services gratuitously. Although the parties to an action can be forced to defray the expenses of the process, in practice they are asked to pay a very small percentage of the actual expenses. It is approximately estimated that the costs of an ordinary canonical trial are at least between eight hundred and one thousand dollars, while the parties generally are only asked to pay from one hundred to one hundred and fifty dollars. To this sum are added any exceptional expenses, *e.g.*, medical and psychiatric experts, copies of medical records, etc. In these estimations there is not considered the work of those who give their time and efforts without recompense, *e.g.*, collegiate judges, notaries, attorneys. Some tribunals ask for no payment of fees whatsoever.

Could this be changed to permit the court to receive reimbursement for its expenditures and to permit attorneys to receive reasonable fees? The answer can only be given by the bishop of the diocese. Up to the present time merely token fees have been rquested of parties to avoid the well known accusation that "you can get a church annulment if you are willing to pay for it." Bishops have preferred and apparently continue to prefer to have the diocese assume the greater part of the tribunal expenses. They have called upon priests who are working in parishes and who are exceptionally skilled in canon law to offer their services gratuitously either to the tribunal or as attorneys to the party litigants.

It has been suggested that lay canon lawyers would be able to expedite canonical processes and help to bring them to an earlier conclusion. This suggestion presup-

[4] S.R. Rotae Decisiones, 6 maii 1941, coram Wynen, dec. XXXIII, n.9, vol. XXXIII (1941), pp. 367-70.

[5] Can. 1658, §1.

poses that the time consumed at present for a canonical process is greater because of our priest-attorneys. This is not necessarily so, nor is it usually the case. Unlike practice before our civil courts, the attorney does not have a very active part in the probative stage of the process. Unless by exception, he is not permitted to be present at the questioning of the parties or witnesses. In this connection one should remember that in canonical practice, where the salvation of souls or the public good is involved, the court is always empowered to and it is expected to supply any proof which a party or an attorney has overlooked.[6]

In the canonical process the attorney will assist the plaintiff in preparing his bill of complaint of nullity. He also assists his client in finding witnesses who have helpful information about which they can testify. The attorney offers to the court the points about which the witnesses are to be interrogated.

The attorney's brief on behalf of his client will take most of his attention. It is not uncommon experience that a priest-attorney, even though he is actively engaged in parochial work, consumes more time in writing his brief than would normally be expected. A brief speedily prepared could leave much to be desired. A lay attorney would also wish to give proper consideration to his study of the case and to the preparation of his brief. Priest-attorneys in general take no more time to prepare their cases in the interest of nullity than do the priest-defenders of the bond whose duty it is to argue for the validity of the bond.

In addition to the attorneys who take part in canonical judicial procedures, most dioceses make available trained canonists who can be consulted, free of charge, on canonical matters. Most frequently these priests have an office at the diocesan curia or chancery. They will give counsel as to whether there is reasonable hope of success in presenting a bill of complaint of nullity or whether the accusation of nullity is without foundation. Because this supplying of gratuitous legal counsel is not specifically provided for in the Code of Canon Law, there is no uniformity in terminology. In some chanceries they are called notaries; in others, assistant chancellors, vice-chancellors, or canonical consultants. In most instances these same priests will take an active part in preparing administrative cases for immediate decision or for transmission to the Roman Congregations. In some cases this same priest who gave the initial canonical advice prepares the bill of complaint of nullity and follows the case, acting as attorney in the judicial process. This is an ideal situation but it requires a greater number of priests in the diocesan chancery than bishops generally are able to assign to this work.

Before proceeding further in this discussion as to whether lay attorneys should be encouraged to interest themselves in canonical matrimonial processes, certain points must be clarified. The first distinction that must be made is between administrative cases and judicial cases. Judicial cases are those which are reserved to the diocesan court or tribunal. In matrimonial matters these are cases where it is contended that the matrimonial bond is invalid, null and void. In the ordinary judicial process the decision must be given by a court of three judges, and a finding for nullity is not effective unless it is confirmed by a court of second instance to which there is a necessary appeal by the defender of the marriage bond.

[6] Can. 1618.

From the ordinary judicial processes are exempt certain specific cases mentioned in Canon 1990, where the nullity is evident and it can be proved by documents. Canon 1990 provides for a summary judicial process. Its use is restricted to cases of nullity of marriage where the grounds are consanguinity, a previous marriage, affinity, spiritual relationship, disparity of worship, sacred order, or a solemn vow of chastity. This summary judicial process bears a similarity to Section 3212 of the New York Civil Practice Law and Rules. In the canonical summary process one judge, the bishop of the diocese, gives the decision. The decision is immediately effective unless the defender of the marriage in his discretion appeals to the court of second instance.

To the ordinary judicial process are reserved all marriage trials in which the alleged grounds of nullity are other than those listed for the summary process of Canon 1990, *e.g.,* lack of proper contract, force and fear, etc. Also, those cases which ordinarily permit this summary process must be remanded to the ordinary process if the nullity is not evident.

Judicial matrimonial cases are distinguished from administrative cases. For the most part, administrative cases are concerned with the dissolution of marriage. Here, presumably, the marriage is valid, or at least its validity is not brought into question. A dissolution of the existing bond is requested either on the grounds that the marriage has never been physically consummated or in the interest of a convert to the faith or in the interest of one who is already a member of the Church. The latter categories include the use of the Pauline privilege and the use of the so-called Petrine privilege, as in the "favor of the faith" case.

Beginning in the fifteenth century, the Church has taught that a valid marriage, even between two baptized persons, can be dissolved, provided it has not been physically consummated. This power is reserved to the Apostolic See. In practice, the Church does dissolve such a marriage if there is sufficient proof of non-consummation and if the circumstances warrant such a dissolution.

In the Pauline-privilege case, the principal proof required is that both parties were unbaptized at the time of their marriage. When this has been verified, and when it is certain by means of interpellations that the unbaptized party intends neither to accept baptism nor to continue to live peacefully with the converted spouse, the local bishop may permit the convert to contract a new marriage.

Regarding the "favor of the faith" case, there must be proof that one party had never been baptized before the marriage. If the one who had remained unbaptized before the marriage subsequently has been baptized and he is seeking the favor of the dissolution in the interest of his new faith, there must likewise be proof that the marriage had not been physically consummated after the baptism of the convert. The underlying principle is that the valid marriage between two baptized persons, consummated after the baptism of both parties, can be dissolved by no human power, including that of the Supreme Pontiff. As long as one party to a marriage remains unbaptized, or if the marriage has not been physically consummated after both parties have received Christian baptism, the marriage can be dissolved when the best interests of the Christian faith recommend it. This power to dissolve is exclusively in the hands of the Roman Pontiff. In this matter His Holiness acts through the Supreme Sacred Congregation of the Holy Office.

Likewise processed in an administrative manner are cases of presumed death and cases of nullity where the grounds are lack of canonical form. The bishop of the diocese is empowered to decree when in the absence of a certificate of death there is sufficient evidence from which it can safely be inferred that a marriage bond had ceased by the death of one of the parties. Also, by a simple decree the bishop of the diocese can declare that a marriage, which was attempted by a Catholic without the canonical formalities of marriage, is null and void because of the lack of such canonical formalities.

Why are these cases of lack of canonical form and of presumed death treated administratively rather than judicially? In the case of forming a presumption of death, there is no question of the validity of the marriage bond. If the other party is deceased, there could hardly be an adversary proceeding. If the local bishop cannot arrive at moral certitude to draw an inference of the death of the missing spouse, the case is referred to the Sacred Congregation of the Sacraments, if both parties to the marriage were Catholic, or to the Sacred Congregation of the Holy Office, if at least one of the spouses was not a Catholic. Administrative procedure was undoubtedly adopted for the lack-of-form case because of its apparent simplicity. Generally, it is immediately evident whether one is obliged to the canonical form of marriage. Since January 1, 1949, baptism conferred in the Catholic Church is sufficient to bind to the canonical solemnities. Conversion to the Catholic faith also bears with it the obligation of observing the canonical form. Between May 19, 1918 and January 1, 1949, an exemption from the canonical form was given to persons, born of non-Catholic parents, who, although baptized in the Catholic faith, were raised without any Catholic training. If the obligation to observe the canonical form of marriage remained doubtful, it was understood that the doubt had to be resolved by the ordinary judicial process.[7]

However, diocesan officials, faced with questions which arose about the obligation to observe the canonical form of marriage, and especially trying to interpret the phrase "without any Catholic education," soon found it more advantageous and expeditious to refer such doubtful cases in administrative recourse directly to the Sacred Congregation of the Holy Office, rather than to their own diocesan tribunals. This was very reasonable because such doubts concerned questions of law rather than of fact, and ultimately they would have to be resolved by the Apostolic See.

Considering this distinction between judicial cases and administrative cases, it would be inaccurate to say that all marriage cases pending in a diocesan curia are under the consideration of the matrimonial court. A considerable percentage of such cases, perhaps even more than half of them, are handled administratively and, therefore, they do not come before the court. It is true that in many dioceses the officialis or ordinary diocesan judge also has delegated power to review administrative cases, but this does not relate to his office as such. It is likewise inaccurate to speak of a matrimonial court because the jurisdiction of the diocesan tribunal is not limited to matrimony.

In administrative marriage cases there is little part for an attorney to play. In cases concerning the non-consummation of mar-

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[7] S.C. de Sacramentis, *Instructio servanda a Tribunalibus Diocesanis in pertractandis causis de nullitate matrimoniorum*, 15 august 1936, n.231, § 2—Acta Apostolicae Sedis, XXVIII (1936), 359.

riage, the faculty issued by the Sacred Congregation of the Sacraments, which permits the local bishop to institute and complete the process of the proof of non-consummation, specifically mentions that the petitioner must be advised that in these cases there is no place for the work of attorneys. If the priest delegated to gather the proofs is remiss in any way, experience shows that the Sacred Congregation is quick to order directives to supply the additional proof either in the interests of the petitioner or for the safeguarding of the bond of matrimony. The detailed instructions which are intended to safeguard the delicate sense of Christian modesty of the spouses and at the same time to arrive at truth make no provisions for the intervention of an attorney on behalf of the petitioner or respondent. The one delegated to hear the testimony of the spouses and of the witnesses and to collect necessary documents must be a priest.[8]

The norms issued by the Supreme Sacred Congregation of the Holy Office for the process of obtaining the "favor of the faith" or the so-called Petrine privilege likewise make no mention of attorneys.[9] Again, the delegated priest will interrogate the parties and witnesses to bring out all of the truth, both those facts which favor the petitioner as well as those which would tend to show that the privilege of the dissolution could not be granted in this instance.

Both the process to prove non-consummation and the process to obtain the "favor of the faith" have some similarity to the judicial procedure. The priest delegated to conduct the process must follow judicial procedure in interrogating the parties and witnesses. The defender of the bond must be cited for all sessions and he is obliged to write a brief. But in each instance the proceeding is essentially that of an investigating committee officially assigned to the task but having no power of judgment. The acts are forwarded to the appropriate Congregation in Rome which in turn recommends to the Holy Father that the favor be granted or denied.

The remaining administrative marriage cases, the Pauline privilege, the presumed death, and the lack-of-form case, have no prescribed procedure. We might say the same thing concerning the probative stage of the judicial summary process provided for in Canon 1990. Documents are gathered; affidavits are prepared. It is sufficient that the operative facts are established beyond a reasonable doubt. Unquestionably, a lay canonist could prepare the proofs for such a case, but the question remains whether it would be to the best interests of the client that he do so. Generally this work is carried out by priests assigned to the chancery staff. Each chancery has its own printed questionnaires to bring out the desired information from the witnesses. The chancery official is able to call on parish priests in all parts of the diocese to obtain these affidavits. It is the usual experience that these questionnaires are returned to the chancery, properly executed within a reasonable period of time. If the case is urgent, prompt attention is requested and received. There are exceptions, but usually these are caused by the reluctance of the witnesses to cooperate. In this regard the lay canonist would be just as frustrated as the cleric. In our country ecclesiastical courts are powerless

[8] S.C. de Sacramentis, *Regulae servandae in processibus super matrimonio rato et non-consummato,* 7 maii 1923—Acta Apostolicae Sedis, XV (1923), 389-436.

[9] Suprema Saera Congregatio S. Officii, *Normae pro conficiendo processu in casibus solutionis vinculi matrimonialis in favorem fidei per Supremam Summi Pontificis Auctoritatem,* 1 maii 1934.

to compel witnesses to testify, except by ecclesiastical censure which is seldom used.

Another advantage which the chancery official has over the lay canonist in gathering proofs for administrative cases is the ease with which he is able to avail himself of the world-wide cooperation between episcopal curias. This is especially important today because of the migration of peoples. Canon 1570, Section 2 requires all ecclesiastical courts to cooperate with each other in delivering citations, taking testimony, etc. A similar provision exists in the official norms for the "non-consummation" process. Although nothing is mentioned in the law about cooperation between curias and chanceries for administrative matters, such cooperation *de facto* exists. It is an everyday occurrence that a priest attached to the chancery staff calls upon the vicar general or chancellor of another diocese in our country or in another part of the world to obtain documents and affidavits for the processing of administrative cases. Generally, such cooperation is given gratuitously unless there are exceptional expenses. A lay canonist could call upon confreres in distant parts for assistance, but it is very questionable whether such assistance could be obtained as easily, as readily, and with such a minimum of cost.

It is in the ordinary judicial process that a qualified lay canonist could have an effective role. Almost all attorneys approved by the Apostolic Signatura and by the Sacred Roman Rota and admitted to practice before these tribunals are laymen. Occasionally attorneys approved at the Rota plead cases before local diocesan courts. A layman with the usual obligations of life toward himself and toward his family, before he prepares himself with the necessary scholastic qualifications, will have to consider whether he can expect a commensurate return from his canonical practice to justify his years of studying. As has been stated above, there can be little promise of such remuneration. The policy of gratuitous legal assistance is of long standing.

Would a change of policy permitting attorneys to receive reasonable fees in canonical cases and encouraging laymen to prepare themselves for this work eliminate or help to eliminate delays in solving cases which are presented to diocesan courts? It seems that the answer is in the negative because the present delays which exist are not caused by the attorneys.

The formalities of the canonical process, especially those of the ordinary judicial process, are responsible for much of the delay. All of the acts of each case must be either typed or printed. Handwritten copies would suffice but this method is of the past and would only be more time-consuming.

Because the attorneys for the parties are not permitted to be present at the hearings, they can only begin their study of the case after the formal publication of the acts. The attorneys for the parties, just as the defender of the marriage bond, must present their summations of the case in writing in the form of a legal brief.

In accordance with Canons 1014 and 1869, Section 1, the court must be morally certain of the nullity of the marriage before it can cause to issue an affirmative decision of nullity. All prudent doubt must be answered in favor of the validity of the marriage. A preponderance of evidence in favor of nullity does not suffice. This causes the court to conduct extensive investigations which might otherwise be considered unnecessary. Letters rogatory are sent to other tribunals for the testimony of witnesses who cannot appear at the trial court. If the trial

court finds that the nullity has been proved "beyond a reasonable doubt," it must state its findings of fact as well as its conclusions of law in its written decision. The decision must show that the findings of fact were arrived at in accordance with the established canonical principles of evidence.

Possibly, an unwarranted amount of time is consumed by the court itself in the writing of its decisions and by the defender of the marriage bond in the brief on behalf of the validity of the marriage. Great attention is given to form, to the citation of authorities, to an analysis of the testimony of the parties and witnesses. Ecclesiastical judges do not enjoy the luxury of legal secretaries with the result that the time occupied in legal writing cannot be given to more fruitful work. The ecclesiastical court is always mindful not only that its decisions are open to judicial appeal to a court of second instance, but also that all its affirmative decisions are reviewed each year in an administrative manner by the Sacred Congregation of the Sacraments. The same Congregation each year requires a copy of all the briefs of the defender of the marriage bond for the cases in which the court had found for the invalidity of the marriage.

Special attention must be given to the writing of the decision in an ecclesiastical court because on judicial appeal, not only the law but also the facts are reviewable. It is not sufficient to find that the trial court could reasonably have found the facts as it did, but the court of second instance itself must be morally certain "beyond a reasonable doubt" that the operative facts have been established in accordance with the laws of evidence. A reversal on the facts is more common than a reversal on the law.

Unquestionably some delay in processing marriage cases, both judicial and administrative, could be removed by increasing the personnel of the chanceries and tribunals. This resolves itself into a question of the availability of vocations. Souls are at stake in marriage cases, but they are also deeply affected by the spiritual administrations of the parish priests. Ultimately, the bishop must determine how many priests he is able to assign to the various fields of priestly work in his diocese. If laymen see fit to train themselves in canon law, undoubtedly they could accomplish more by being employed on a full-time basis in the chancery or in the tribunal than by opening an office for private practice.

With a few additional canonists, clerical or lay, along with the much needed secretarial assistance, there is no curia which could not bring its cases, judicial and administrative, up to date within a short period of time. There is one thing that must be remembered especially by those who speak of the thousands of young people around the world who are suffering interminable delays awaiting decisions. Not always does the red light turn to green. Decisions can be negative just as they can be affirmative. Frequently, there is much disappointment on the day of the publication of the decision.

It has been suggested that law offices, staffed with lay and/or clerical experts in marriage law, be established to help to clear up the backlog of marriage cases that is said to exist. If civil attorneys consider it against their code of ethics to advertise, canon lawyers should do likewise. But would such law offices be able to effect the desired end?

First of all, law offices already exist in many curias. At the present time they are staffed by clergy. If lay canonical experts were available, and if there were sufficient funds to pay an appropriate salary, there is

no reason why they could not be employed in the curia. They could not be given an assignment which requires the use of jurisdiction, but there is much canonical work which they could perform.

What about an office of canonical experts separate from the diocesan curia? It is suggested that such canon law experts could be a boon to chanceries of small dioceses. It is difficult to imagine how there would be sufficient canonical work for such an office of canonical experts if there is not sufficient canonical work for a canonist of the chancery of a small diocese to keep up in his field. No matter how small a diocese is, there will always be the necessity of at least one priest trained in canon law.

In the Church only a cleric can possess or participate in, by delegation, the power of jurisdiction. The decisions in marriage cases which can be brought to conclusion on a local level require jurisdiction, either ordinary or delegated. One would not expect the bishop, even of a small diocese, or his vicar general, chancellor, officialis or delegate to rubber stamp the decisions of marriage cases which have been prepared by a group of canonists not connected with his curia. Even though no decision can be given locally, the investigation of "non-consummation" cases and of "favor of the faith" cases must be performed by a priest delegated by the bishop.

In recent years there has been voiced the desire that there be permanently established in this country a tribunal of third instance or a local Rota, similar to the Spanish Rota. Obviously, this is a judicial body, and it would have nothing to do with such administrative cases as non-consummation or the favor of the faith. These so-called "Roman cases" would continue to be referred to the Roman Curia because they require the intervention of the Supreme Pontiff for the dissolution of the marriage.

One wonders whether a local Rota is as advisable as it first appears. It would save the costs of translation, and possibly also those of printing if it would be satisfied with typewritten carbon copies as our courts of second instance are at present. As long as canonical procedure provides for a judicial review of the *facts* by a court of second instance and substitutes the discretion of one bench of three judges for the discretion of another bench of three judges, probably a local court of third instance would be better able to understand the conduct of our people and more easily be able to draw inferences therefrom. On the other hand, might such a court not tend to be more provincial? Is it not possible that the universal "meeting of minds," as is had at the Sacred Roman Rota, is able to build up a more valuable jurisprudence, taking advantage of the greater number of cases which come before that court and the variations of origins of those cases?

One must bear in mind that if there is established a local Rota, judicial appeal from its findings and conclusions would not always be possible. According to Canon 1903, if two courts agree that the nullity had not been proved, there is no appeal unless there is new and weighty evidence. This law at the present time frequently prompts a plaintiff who has been unsuccessful in the first instance to appeal directly to the Roman Rota for the second instance.

If it is found that the Sacred Roman Rota cannot adjudicate the cases before it in a reasonable length of time, might it not be preferrable to increase its number of judges, rather than to constitute a new tribunal in the United States? The Roman Rota has always been able to take care of the cases

of those who were unable to pay translating and printing fees. Joining these new judges to the Roman court, rather than having them form a separate local tribunal, would permit them to participate in the more mature, the more secure, the more universal thinking of the Eternal City. It is not always true to say that it is better to be first in a little town than to be second in Rome!

In connection with marriage cases, recently there was heard the suggestion that there should be created in the Church some kind of a public defender to protect the rights of individuals against the abuses of authority. Do we not already have such a public defender? Canon 1569 provides that, because of the supreme episcopal jurisdiction of the Roman Pontiff, any member of the Church can have recourse to the Holy See at any time and at any stage of litigation. Anyone with experience in canonical practice knows that this offer of assistance on the part of His Holiness is not an empty gesture. Requests are frequently sent to the Holy See and, while many of these are without foundation, if there is any basis in law, proper directives are sent to the local ecclesiastical authority.

The layman trained in canon law probably would find little recompense in private practice for his years of preparation. The policy of gratuitous legal assistance is well grounded in the tradition of the Church in the United States. Perhaps, in certain sections those granting this assistance are few, but in these sections, especially in smaller dioceses, it would be even more difficult for the lay canonist to find a return from his investment. In an exceptional case a person considering himself aggrieved might not wish to avail himself of canonical legal advice at the very office where he thinks he has been deprived of his right. For such a case there are many canonists in other dioceses or in religious communities who would consider it an obligation in conscience to give competent canonical counsel. And then there is always the universal public defender.

BOTTLENECK

(Continued)

cialize in canon law, as some laymen already do.

There is plenty of business. Of all the legal tangles people get themselves involved in, marriage cases are one of the most common. As mentioned before, in many of these cases the eternal salvation of souls is at stake and they need all the help they can get.