

Catholic Marriage

This topic is of utmost importance to the spiritual and temporal good of married couples and their families, and the good of all of the Christian community and civil society as well. God in His infinite love established Marriage as a vocation in the very beginning, creating the first man and woman in a marital relationship that was, as the Catholic Church still calls forth from couples today: permanent, faithful, and fruitful (fruitful meaning being open to God's gift of children.)

A valid marriage in the Catholic Church, aimed towards these goods, is one which takes place in a parish church, before a priest or a deacon, with two additional witnesses, and using the Church's proper rite of the Order of Celebrating Matrimony. Couples must enter into a lifetime of holy marriage that is indeed permanent, faithful, and fruitful. And they must have the knowledge, the capacity, and the will to exchange consent (vows) in a covenant between themselves and with God. Accordingly, a period of marriage preparation is generally required by the Church to ensure these things.

In our diocese that period of "marriage prep" is to begin at least six months before the wedding with a priest or deacon of your choice and will include at least four meetings. It will address the theological meaning of marriage as well as practical matters in living the married life and having children. A couple-communication "pre-marriage inventory" tool called FOCCUS is generally used, with the priest or deacon or perhaps a mature married couple acting as facilitator to the couple's discussions.

Along the way the couple will also provide various documents including sacramental certificates and affidavits of freedom to marry. They also will attend a separate, required Conference for the Engaged offered by the Diocese. Finally, the details of the wedding ceremony will be planned.

The marriage prep begins with an investigation to ensure that there are no impediments to the couple being married, such as a prospective spouse being in a prior bond of marriage.

Marriage of a Catholic man or woman to someone who is a non-Catholic Christian or even a non-Christian is always possible, but requires the permission or dispensation of our Bishop, the application for which will be prepared by the priest or deacon.

Convalidation

The Church does not recognize a civil marriage as a true valid marriage, and a person not living in a valid marriage may not receive the sacraments including Holy Communion, although all Catholics should always continue attending Mass. Not being in a valid marriage also nullifies your privilege to be a godparent for Baptism or a Confirmation sponsor.

Yet, in the great love that God and the Church have for you, there are remedies for this situation, even for couples who have been civilly married for a long time and have growing families. A short-term remedy is for Catholic spouses to faithfully receive absolution in the sacrament of Confession, and if a solemn commitment to God is subsequently made by the couple to live "as brother and sister", that is, without sexual relations, then a return to Holy Communion is possible until the necessary long-term remedy is achieved.

The long-term remedy is the convalidation marriage, a new, proper marriage in the Catholic Church, before a priest or a deacon, with two additional witnesses, and using the Church's proper Rite of Matrimony. A civil marriage cannot simply be "blessed" by the Church, although you may have heard that term being used regarding convalidation.

Couples must be prepared by a priest or deacon before their convalidation marriage, but due consideration is given to individual circumstances in determining the length of the preparation. Although a couple may be asked to wait six months before the marriage, as in any original marriage, a shorter period may be set by the priest or deacon given the couple's background and previous catechesis.

As in any routine marriage preparation, the couple will be asked to gather and provided required documents, including sacramental records and affidavits of freedom to marry, but in this convalidation case also a certified copy of the original civil marriage certificate. Attendance at the Diocesan Conference for the Engaged and use of the FOCCUS pre-marriage inventory may or may not be required, based on the judgment of the preparing priest or deacon.

The marriage ceremony itself need not incur any financial cost at all and can be as simple as a short (but still beautiful) private ceremony in church with only the couple, their two witnesses, and the priest or deacon present. On the other hand, a couple whose civil bond was made in a quick visit to the courthouse may decide that this is an opportunity for a larger church ceremony and follow-on reception with family and friends. In either case, the ceremony may be celebrated according to the Order of Celebrating Matrimony Within Mass, or Outside of Mass. All of these things will be discussed and planned with your priest or deacon.

Annulment

No new Catholic marriage can be celebrated if either prospective spouse, even a non-Catholic party, remains in a previous bond of marriage with another person. But upon petition to the Tribunal of the Diocese, the Tribunal can investigate the possibility that a specific apparent marital bond was not in fact a valid marriage at all according to the laws and teachings of the Catholic Church.

If the Tribunal determines that the previous apparent union was in fact "null", a "decree of nullity" can be issued, declaring that the attempted marriage was invalid and therefore there is no impediment for entering into a new Catholic marriage. A decree of nullity does not deny that a loving relationship had been entered into sincerely, nor does it place blame for the breakup on either or both parties. And importantly, a declaration of nullity has no effect on the status of children born of the relationship – no child is ever "illegitimate."

The possible grounds for a decree of nullity (often just called an annulment) are many and varied, and the type of grounds relevant to each case can affect how long the process will take. In all cases, the focus is on reasons by which there was a defect or absence in an essential quality or element for a valid marriage, including the intentions of permanence, fidelity, and openness to children, entered into with knowledge, free will, and capacity. Specific flaws can involve many grounds such as fraud or deceit, force, previous bond of marriage, serious psychological problems, conditional consent, profound immaturity, and many others.

The simplest grounds may be that at least one party was Catholic and the marriage was outside of the Catholic Church (not in church before a priest or deacon) without dispensation from the bishop. Called an "absence of canonical form case", it is rather easily and quickly ruled invalid once an application form and supporting documents are submitted.

More complicated grounds require a "formal case" and can take a good deal longer. Our Diocesan Tribunal has a goal to have nullity cases decided within 12 months, however all cases must receive due diligence by a court appointed for the case, and can sometimes be delayed due to the responsiveness of the petitioners themselves or their witnesses.

The process of petition always begins with contacting a parish priest or deacon, who will guide the petitioner and will become his or her advocate before the Tribunal. The initial application includes filling out a basic fact sheet, answering a questionnaire, and drafting a petition and a narrative essay, as well as providing supporting documents. There is no monetary charge for an annulment petition.

I pray that this information may be spiritually and practically helpful to many parishioners.

At any time, if you have questions about resolving any marital situation, please see any of our parish priests or deacons to help get you started.

God Bless you!
Father John O'Donohue

God wants Joy, true Joy, for you!



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Catholic Marriage, Convalidation, and Annulment



A message from
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