

Receiving Sacraments in the Catholic Church

Marriage Related Impediments

The Catholic Church believes that Marriage is a sacred, unbreakable institution. In marriage, a man and a woman are brought together by God in a special form of community that images the internal and eternal communion of the Holy Trinity. The Church calls the special community of marriage a “Sacrament” as it is an outward sign, created by God and pointing to a divine spiritual reality. In Matthew’s Gospel, Jesus recalls the words of Genesis as he teaches his disciples that: *“For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh,’ so they are no longer two, but one flesh. Therefore, what God has joined together, no human being must separate.” (Mt 19:5-6).*

For this reason, the Church assumes that all marriages, whether they be civil or religious, are willed by God and unbreakable. Nevertheless, in our imperfect world in need of God’s mercy, exceptions must be made, so the Church has developed a set of rules to deal with “irregular” marriage situations. These rules are found in the Code of Canon Law. Like a state or a country, the Church, as an institution, has a set of rules— “law”—that is binding on all Catholics. Bishops, priest and deacons are not allowed to convey the Church’s Sacraments (e.g., Baptism, Confirmation, First Holy Communion) on an individual who is in irregular marriage situation.

An important point to understand is that the definitions and processes defined in Canon Law pertain only to the legal operations within the Church. They make no judgment regarding the civil legitimacy of either your current and previous marriages or of the children from those marriages. When the Church finds that a marriage is “invalid,” it does so only in the “canonical law sense.” It does not render marriage invalid under civil law, nor does it make the children of the marriage illegitimate.

HOW DOES A PERSON KNOW IF HIS OR HER MARRIAGE IS IRREGULAR?

The cases described below can assist you in determining if you have any marriage-related irregularities which might be an impediment to your receiving Sacraments.

CASE 1	
Situation	Neither you nor your spouse were Catholic when you got married (either civilly or religious) and this is the first marriage for both of you, (or the spouse from the previous marriage was deceased prior to your marriage.)
Needed	<i>The Church considers your marriage regular and valid; there are no marriage-related impediments for you to receive Sacraments in the Catholic Church.</i>

CASE 2	
Situation	Either you and/or your spouse are a baptized Catholic and your marriage was a Catholic wedding held in a Catholic Church, or your marriage has been subsequently convalidated.
Needed	<i>The Church considers your marriage regular and valid; there are no marriage-related impediments for you to receive Sacraments in the Catholic Church.</i>

CASE 3	
Situation	Either you and/or your spouse are a baptized Catholic, it is the first marriage for both of you, (or the spouse from the previous marriage was deceased prior to the marriage) but, your wedding was not performed in a Catholic Church nor was it convalidated at a later date.
Needed	<i>Canon Law (c.1118) requires that Catholics be married in the Church. Your marriage must be convalidated prior to you receiving Sacraments in the Catholic Church.</i>

CASE 4	
Situation	Either you and/or your spouse have been previously married, civilly divorced and the spouse(s) from that(those) marriages is(are) still living.
Needed	<i>The Catholic Church does not recognize civil divorce (c. 1141). In order to be able to receive Sacraments in the Church, all previous marriages for both you and your spouse must, if possible, be annulled. When all annulments have been granted, your current marriage must them also be convalidated either prior to or immediately after reception of the Sacraments. (Note: Annulments are not guaranteed, see below.)</i>

WHAT IS INVOLVED IN CONVALIDATION?

Convalidation (from the Latin “to firm up” or “strengthen”) is a liturgical ceremony by which the Catholic Church recognizes your existing marriage. It is usually no more than ten minutes in length and consists of the couple exchanging their wedding vows before a priest or deacon in the presence of two witness. (In a sense, this ceremony “marries” the couple in the Church).

Preparation for the convalidation rite includes: (1) completion of a testimony and witness form by/for both the husband and the wife, (2) gathering supporting documents (e.g., civil marriage certificate), and (3) attending a three-session instruction program on the meaning and obligations of a Catholic marriage. In some cases, a permission or dispensation must be obtained from the diocese as well. (This will be handled by the Convalidation ministers). Once the preparation has been completed, the convalidation will be scheduled with one of our priests.

Jerry and Patty Craft run the Convalidation Ministry for St. Paul’s Adult Sacramental Program and can assist you in completing the paperwork and instruction.

WHAT IS INVOLVED IN ANNULMENTS?

Annulments are legal proceedings carried out at the diocesan-level by the Marriage Tribunal. The Tribunal reports to the local bishop and is run by lawyers trained in Canon Law.

When petitioned by an individual seeking to annul their previous marriage, the Tribunal's responsibility is to evaluate the specific details regarding the marriage to determine if, under Canon Law, it legitimately existed.

The Tribunal operates just like any ordinary legal court. One lawyer presents evidence to a Tribunal judge in favor of granting an annulment and another lawyer (called the "Defender of the Bond") argues against doing so. Based upon the evidence presented and the pertinent sections of Canon Law, the judge then decides the case.

For example, if at the time that the wedding vows were exchanged, either the groom or the bride were under the influence of alcohol or drugs, the Tribunal judge, based upon Canon Law (c.1095 sec.1), would likely find in favor of an annulment as one or both parties did not know what they were doing.

There are several different ways to file an annulment petition with the Tribunal depending upon the specific details surrounding the former marriage. Once a petition is filed, it can take up to a year to receive a judgment, and there is no guarantee that the judgment will be favorable.

Deacon Charles Corbalis can advise on the best way to proceed with your annulment(s), assist you in completing and filing the petition(s), and act as your advocate with the Tribunal.

In some cases, your annulment(s) may not have been granted in time to receive your Sacraments in the normal course of events (during the Easter Season). In this case, you will receive a certificate of completion for the preparation course. Reception of your Sacraments will be re-scheduled after a positive judgment has been reached regarding your annulment petition and preparation for the convalidation of your current marriage has been completed.
