

Convalidation - Bringing your Marriage into the Church



Is my Marriage Recognized by the Church? Like other couples in your parish or family, you may be wondering if your marriage is recognized by the Catholic Church. Catholic Church law ordinarily requires baptized Roman Catholics to marry before a priest or deacon. Unless they received a “dispensation from canonical form,” Catholics who exchange vows in the presence of ministers from other religious traditions or civil officials are not validly married in the eyes of the Catholic Church. Regardless of what happened in the past, the Catholic Church invites you to bring new meaning to your lives by embracing the vocation of marriage and dedicating your family’s mission to sharing God’s love.

Why Marry Catholic? Catholic marriage is a sacrament, and it makes Christ present in our world. The relationship between husband and wife mirrors the relationship of Jesus Christ for his people. In the Catholic tradition, husband and wife accept a role in God’s plan for humanity. They are ambassadors of God’s love, and they collaborate with God to keep humanity alive. The vows exchanged by the couple are a sacred pact through which the spouses fully embrace each other and God’s plan for marriage. Through their union with Christ they participate in the unbreakable pact between God and humanity: the covenant that was sealed in the death and resurrection of Christ.

Benefits of Catholic Marriage. One of the many benefits of a sacramental marriage is the power of God’s grace, which helps couples keep their commitment and find happiness together. Social scientists are finding that couples who recognize God’s presence in their relationship experience more satisfaction and are more likely to achieve lifelong marriage. Couples who have their marriages validated by the Church receive many gifts - peace of heart, oneness with the Church, the fullness of the sacraments, and God’s special blessing upon their marriage.

Non-Catholic Marriages and Holy Communion. If the marriage is not recognized by the Catholic Church, then in the eyes of the Church, the Catholic person or persons are not married, but living in an objective state of sin (no judgment as to the subjective state). And the Church asks that the Catholic parties to the marriage refrain from receiving Holy Communion until their marriage is con-validated. This is because we are to receive the Eucharist, only if we are in a state of grace.

What if there is a Prior Marriage? In the simplest terms, if a Catholic wishes to marry in the Church when there has been a previous marriage for either party, the partner in the earlier union must have died, or the Church must have issued a declaration of nullity (frequently called an annulment) , or dissolved the marriage through a special process restricted to a non-sacramental marriages or sacramental marriages that were never consummated. The Catholic Church views all marriages with respect. It presumes that they are valid. Thus, it considers the marriage of two Protestant, Jewish or even non-believing persons, who marry according to their own tradition or the applicable civil law to be binding in the eyes of God. Consequently, an investigation by a competent tribunal is required to determine if something essential to the marital consent was missing or defective. For Catholics with a prior marriage outside the Church, a relatively simple administrative process is required to verify that at least one of the parties to the marriage was Catholic and that the marriage was not celebrated according to canonical form. For Catholics who married in the Church and whose marriage is presumed valid, a more extensive investigation is required. Catholics should consult with their pastor if a declaration of nullity is needed.



Three Things that Make Marriage Valid in the Church

Three things need to be in place for a true (valid) marriage: capacity, consent, and canonical form. A valid Catholic marriage comes into existence when a man and woman who are capable, give consent to marriage, and exchange this consent in the proper form for Catholic weddings. Convalidation is not simply a “blessing” of an existing union. It requires that a new, free act of consent be made.

Capacity – No serious psychological or emotional problems, Physical capacity, Freedom from impediments (e.g. a prior marriage, vows in a religious order, etc.) and qualified to give consent.

Consent - To a lifelong marriage, To an exclusive marriage, To a marriage that is open to children. [Canon Law defines consent as “an act of the will by which a man and a woman mutually give and accept each other through an irrevocable covenant in order to establish marriage.” (can 1057.2)]

Canonical Form - To be married in the presence of a Catholic bishop, priest or deacon and two witnesses according to the Catholic ritual for marriage.

NOTE: Special permission is required for Catholics to marry in a place other than their parish church.

Ten Steps Toward Convalidation

1. Contact your local parish for an appointment with your pastor or his delegate to discuss the situation and determine what must be done.
2. If there is a prior marriage for either party, seek a Church declaration of nullity.
3. Obtain a new copy of the baptismal certificate (with notations) for the Catholic party (or parties) and provide it to the priest or deacon who is preparing you for your convalidation. Make that request to the parish where the person was baptized. If the parish no longer exists or baptismal records are unavailable, contact the Chancery office of that Catholic diocese for assistance.
4. Provide a copy of your Civil Marriage License to the Priest or Deacon.
5. Participate in formational sessions with the priest or deacon in the parish to prepare you for sacramental marriage; take a Natural Family Planning Class (if appropriate).
6. As part of your formational sessions, you may be asked to complete a premarital inventory to identify strengths and areas for growth in the relationship.
7. If married civilly three years or less, attend the *Joy Filled Marriage Workshop* or *Three to Get Married* pre-Cana program; if previously married, attend the *Love Again* Remarriage program.
(<https://archatl.com/ministries-services/marriage-family-ministry/>) .
8. If married more than three years, it is recommended that you attend a *Marriage Encounter* weekend (www.wwme.org).
9. Determine the date and most suitable type of ceremony. Plan a joyful get-together that will follow the liturgical service to celebrate the Church's recognition of your marriage.
10. Celebrate the Sacrament of Reconciliation and become actively involved together in your parish community.

Additional Resources

www.foryourmarriage.org -

A full-service website for all Catholic married couples, sponsored by the US Conference of Catholic Bishops. While this website includes information about preparing for marriage, it is also helpful for couples who may have been married for years.

www.catholicweddinghelp.com -

A website for planning your Catholic wedding



Questions and Answers about Annulments

What is an annulment?

“Annulment” is a misleading word that is sometimes used to refer to a Catholic “declaration of nullity.” Actually, nothing is made null through the process. Rather, a Church tribunal (a Catholic Church court) declares that a marriage thought to be valid according to Church law actually fell short of at least one of the essential elements required for a binding union.

For a Catholic marriage to be valid, it is required that: (1) the spouses are free to marry; (2) they are capable of giving their consent to marry; (3) they freely exchange their consent; (4) they do not exclude any essential element or property of marriage from their consent; (e.g. the intention to marry for life, to be faithful to one another, and be open to children); (5) they give their consent in the presence of an authorized minister and two witnesses. Exceptions to the last requirement must be approved by Church authority.

If a marriage is declared null, does it mean that the marriage never existed?

No. A declaration of nullity by a Catholic tribunal has no civil effects in the United States. It means that the marriage was not valid according to Church law and therefore did not bind the parties as husband and wife. A declaration of nullity does not deny that a relationship existed, rather it means something prevented the consent from bringing a marriage bond into existence.

If a declaration of nullity is granted, are the children considered illegitimate?

No. A declaration of nullity has no effect on the legitimacy of children who were born of the union following the wedding day, since the child’s mother and father were presumed to be married at the time that the child was born. Parental obligations remain after a marriage may be declared null.

Why does the Catholic Church require an intended spouse, who is divorced but not Catholic, to obtain a declaration of nullity before marrying in the Catholic Church?

The Catholic Church respects the marriages of non-Catholics and presumes that they are valid. Thus, for example, it considers the marriages of two Protestant, Jewish, or even nonbelieving persons to be binding for life. Marriages between baptized persons, moreover, are considered to be sacramental. The Church requires a declaration of nullity in order to establish that an essential element was missing in that previous union that prevented it from being a valid marriage, and thus the intended spouse is free to marry. This is often a difficult and emotional issue. If the intended spouse comes from a faith tradition that accepts divorce and remarriage, it may be hard to understand why he/she must go through the Catholic tribunal process. Couples in this situation may find it helpful to talk with a priest or deacon. To go through the process can be a sign of great love of the non-Catholic for the intended spouse.

How much does it cost?

Here in the Archdiocese of Atlanta, the Archdiocese subsidizes the work of the tribunal. Therefore, for most cases, the tribunal services for Annulment cases are offered free of charge.