

DIVORCED AND FAITHFUL: ALL IS RESTORED IN CHRIST

The Church journeys with each person through moments of heartbreaking sadness such as divorce offering a message of hope, love and mercy that is found in a relationship with Jesus Christ.

ARTICLE

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CHURCH TEACHINGS: WHAT IS AN ANNULMENT?

According to the United States Conference of Catholic Bishops (USCCB), the annulment process is frequently misunderstood. To bring a better understanding as to who needs an annulment, the process, and its effects, the bishops launched Annulment FAQs, as part of its ForYourMarriage.org initiative. The following information is from the USCCB's website and Father Fernando Gil, Judicial Vicar for the Diocese of Orlando. To read the full USCCB text, visit www.foryourmarriage.org/catholic-marriage/church-teachings/annulments.

“Annulment” is an unfortunate 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.

A valid Catholic marriage results from five elements: the spouses are free to marry; they freely exchange their consent; in consenting to marry, they have the intention to marry for life, to be faithful to one another and be open to children; they intend the good of each other; and their consent is given in the presence of two witnesses and before a properly authorized Church minister.

Several steps are involved in the process, including submission of testimony about the spouses and marriage and ultimately a decision on the validity of the marriage.

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

No. It means it was not valid according to Church law. A declaration of nullity does not deny that a relationship existed. It simply states that the relationship was missing something that the Church requires for the validity of the marriage.

If a marriage is declared null, are the children considered illegitimate?

No. A declaration of nullity has no effect on the legitimacy of children, since the child's mother and father were presumed to be married at the time that the child was born. Legitimacy depends on civil law.

I do not plan to re-marry. Why should I present a marriage case?

Some people find that simply writing out their testimony helps them to understand what went wrong and why. They gain insights into themselves. Others say that the process allowed them to tell their whole story for the first time to someone who was willing to listen. Many find that the process helped them to let go of their former relationship, heal their hurts, and move on with their lives. A person cannot know today if they might want to marry in the future when crucial witnesses may be deceased or their own memories may have dimmed. Participation in tribunal procedures offers the parties a unique opportunity to experience both emotional and spiritual healing as they hand their litigation over to God and ask him to heal them from their wounds of broken relationships, abuse, addictions, sickness or death.

If you are divorced and would like to learn more about the process of declaration of nullity in the Diocese of Orlando, please contact your pastor.