

## CANONICAL REQUIREMENTS To Be Married in the Catholic Church

### I. If Either Party Was Married Previously In Anyway Whatsoever:

Only a Catholic Christian or an Orthodox Christian is bound to a special form/blessing. Thus, no other Christians or non-Christians are bound to be married before a Catholic/Orthodox priest, rabbi, minister, etc.

Therefore, if anyone, who is not a Catholic Christian or an Orthodox Christian and who has been married in anyway whatsoever, or has lived together in a civil society that recognizes common law marriages, is considered to have been validly married to his/her original partner. **Thus**, that person cannot marry in the Catholic Christian Church until that first marriage has been submitted to the competent Catholic Tribunal --- competency depends upon where the marriage took place, where the Respondent now lives, and also in some cases where the Petitioner and most of the Witnesses now live --- for adjudication. If that marriage is found to be null and void by the competent Tribunal and also by its Appellate Tribunal, then that person after such adjudication is free to marry in the Catholic Church. If this can not be proven, then such a person is still bound to his/her first marriage even though he/she has been divorced by the civil government of the land.

Similarly, regarding a Catholic Christian or an Orthodox Christian, if such a Christian was **not** married before a Catholic/Orthodox priest, that marriage case too must be submitted to the local Catholic Tribunal for adjudication. However, such adjudication is fairly simple, because Canon Law considers such a marriage null and void because of the Lack of Proper Form/Blessing. However, to be free and able to marry in the Catholic Church, that case must be submitted to a Catholic Church Tribunal for adjudication, even if that former marriage involves an Orthodox Christian. It must shown that one Party to that marriage was either a Catholic or Orthodox Christian, and the marriage was never convalidated/blessed in the Catholic/Orthodox Church.

### II. If Either Party Has a Child

If either Party wishing to enter into a marriage in the Catholic Christian Church has a child by a previous relationship, even if that child is living with its other natural parent or with a relative or a foster parent, there is a Natural Law obligation that the biological parents must be contributing to the child's upbringing and care. Not only financially, but also by being a part of that child's life and development.

**Thus**, if one of the Parties planning to marry has a child, it must be shown that he/she is properly fulfilling his/her responsibilities and obligations of parenthood. If this is **not** being done, such a person cannot marry in the Catholic Christian Church until this natural

law obligation has been corrected and such responsibilities and obligations are now being fulfilled.

### **III. Six Months Notice**

All couples seeking to marry are encouraged and urged to notify their local priest who will preside at their wedding **at least six (6) months prior to their proposed date.**

Since marriages hopefully last 40 years or more, this six month notice provides ample time for the bride and the groom to prayerfully consider the unique undertaking they are preparing to commit themselves too. It also allows time for the bride and the groom to gather the necessary documents and affidavits of freedom, and to take part in a pre-marriage seminar.

### **IV. Initial Visit with Local Priest**

After choosing the priest and parish of your choice, the bride and groom then make an appointment with that priest. During that Initial Visit, the priest will ask the bride and groom individually the required **Pre-Nuptial Investigation** Questions. He also will usually give them the **FOCCUS Inventory Questionnaire**, or a similar instrument or program. This questionnaire gives the bride and the groom some insight into their communication skills, their ideas and goals about marriage, and their knowledge and understanding of one another.

Since the priest does not usually himself compute the information given, a medical release is required by most State Laws for another person on the parish staff to do this task.

Also, during that Initial Visit, the priest will try to answer all the bride's and the groom's questions, if he can, about marrying in the Catholic Church. He will also explain all the requirements.

In addition, during that Initial Visit, the priest will give the bride and the groom information regarding a Pre-Marriage Engaged Couples Seminar.

### **V. Setting the Wedding Date**

After completing the Prenuptial Questionnaire, provided there are no Canonical Difficulties, the priest will then set the date and time for your wedding celebration.

Usually a deposit is required in order to hold a particular date and time. This entire deposit will be returned in the case of an emergency (death in family, discovering at the last minute you may not be meant one for another, etc.) even if this occurs right up to the

date of the wedding.

However, in other cases, after three (3) months, only one-half of the deposit will be returned.

## **VI. Recently Issued Baptismal Certificate Required**

A “**recently issued**” Baptismal Certificate is to be submitted for every baptized Catholic and Orthodox Christian bride and/or groom. A Baptismal Certificate that the bride or groom, or their parents, may have at home issued when the ceremony took place does not suffice and cannot be accepted.

“**Recently issued**” means that the Church of Baptism issues a “new” certificate of Baptism within the last **six (6) months**. That date will be on the new certificate.

Thus, it is suggested that as soon as you decide to marry, you should send off for your “Newly Issued Certificate of Baptism” from the Parish Church where you were baptized. If you have a relative or friend still living near that Parish Church, a good idea is to call them and have them personally pick-up the newly issued Baptismal Certificate for you.

Certificate of Baptism is not required for non-Catholic Christians, but is suggested if their church of Baptism keeps such records.

## **VII. Sworn Affidavits of Freedom**

Two (2) Sworn and Notarized Affidavits of Freedom are required for the bride and two (2) Sworn and Notarized Affidavits of Freedom are also required for the groom, regarding their freedom to marry in the Catholic Church. Those chosen to answer the questions and to sign these Affidavits of Freedom must be family members. The best witnesses, of course, are the parents of the bride and groom. Others are their grandparents, their aunts and/or uncles, their brothers and/or sisters, their first cousins, or their Baptismal godparents. If all of these are not available, life-long friends can be used but only in accordance with the norms of canonical law and only with the explicit permission of the Pastor.

These Affidavits of Freedom **must be signed in the presence** of the person notarizing the Affidavit. Those who can notarize these Affidavits are any Catholic priest, deacon, subdeacon or non-Catholic party’s minister or rabbi or any Notary Public.

**Un-Notarized** Affidavits **cannot** be accepted.

## **VIII. Pre-Marriage Seminar**

No matter how old the bride and groom, they are usually not too old to be told anything. Thus, there is a required Pre-Marriage Seminar. The purpose of this Pre-Marriage Weekend Experience or other similar type program is not to teach the bride or groom things that they do not know; rather, the purpose of this experience is to help them enjoy, know and love each other better, and to help them to learn techniques so they share their deepest feelings and emotions one with the other. Those who really “get into” this weekend, often come home like love-sick adolescents, so much do they love and care for one another.

## **IX. Civil License from State Required**

The State where the wedding is to be performed requires all persons getting married to obtain a Civil Marriage License. Some States require a Blood Test. Most States honor a License obtained in any County of that State. However, most States also place a time limit on the validity of their License. If the License is not used within that time period, a new License must be obtained, and usually at the normal fee.

While almost all other countries (Mexico, Spain, France, Italy, etc.) require a civil ceremony with a civil official signing the official civil license, this is not true in the United States of America. Thus, **NO civil** ceremony is needed, if there is to be a religious ceremony of any kind. By State Law, the priest who presides at the wedding is considered to be an Official of the State and so he must sign the license immediately after presiding at the ceremony.

## **X. The Wedding Ceremony**

The ceremonies of your wedding should reflect the sacredness of marriage. Thus, **ostentatious pageantry** should be avoided. A wedding is **not a show!** Rather, a wedding is a religious ceremony surrounding the bride’s and the groom’s commitment to one another for life in Christ.

Two attendants are required by Canon Law to witness the exchange of vows. There may be more than two, but there must be at least two. These two witnesses usually sign the State Civil License as official witnesses.

Friends or relatives who are good public readers may be invited by you to proclaim God’s Holy Word during the ceremony. Only a Reading from the Holy Bible may be proclaimed during the ceremony. Having someone do the Reading is not obligatory, but does help involved others in your wedding. The presiding priest proclaims the Gospel.

Some couples take flowers to the Holy Family at the end of the wedding ceremony, as a sign of wanting to live in their marriage as Jesus, Mary and Joseph lived in their home in Nazareth and in Bethlehem. This is not obligatory.

Ethnic Traditions may also be part of your wedding celebrations. These are wonderful ethnic expressions of marriage and may be considered for your wedding ceremony, but none are obligatory.

Having candles near the bride and groom, as is customary in some countries, is absolutely forbidden by most State Fire Marshals because of the untimely incidents that have occurred. Thus, there can be **no** candles next to the bride and groom. Churches are not exempt from State Laws and County Statutes.

### **XI. Wedding Music**

Marriage is a sacrament, and as such is a Celebration of a Liturgical Mystery. A marriage is not a stage show nor a pageant. Thus, all music used at a wedding must reflect the sacred nature of the Marriage Covenant and the sacred Mystery being celebrated. Secular songs, even if they have special significance to the bride and groom, should appropriately be played or sung at the reception.

### **XII. Alcohol, Drugs, Smoking**

There should never be any alcohol nor drugs on the Church premises. These are strictly prohibited.

If the bride or groom has consumed excessive alcohol or drugs, since by Ecclesiastical Jurisprudence this invalidates a marriage, the wedding must be canceled and stopped at once as the couple would marry invalidly [CCEO Canon 818]. Besides, the excessive use of alcohol or drugs is a mortal sin, as it removes an individual's freedom of thinking.

No smoking is allowed inside any Church.

### **XIII. Sacrament of Confession**

Marriage is a Sacrament, and so it must be received in the state of grace, namely free from mortal sin. To receive a Sacrament in the state of mortal sin, would be to commit a most serious sin of sacrilege. If you have been living together, sexually involved, drinking excessively, not going to Sunday Mass, etc., you are reminded these are all mortal sins and must be confessed before being married. As St. Paul writes in his First Letter to the Corinthians to receive Holy Communion during the wedding Mass without confessing serious sins would be a worse sin. As St. Paul puts it:

*“Whoever eats the Body or drinks the Blood of the Lord unworthily, will have to answer for the Body and the Blood of Lord unto eternal damnation.” [1 Corinthians 11:27].*

Please make arrangements with a priest to receive this wonderful forgiving Sacrament.

You may confess to any priest, it does not have to be the priest presiding at your wedding.

#### **XIV. After Your Wedding**

Soon after your honeymoon as you settle into your own home or apartment or condo, you should make every effort to register at your local Parish. Meet the priest and active parishioners, and get to know them.

Most Catholic parishes today have some wonderful programs, or at least access to such programs, to enhance your marriage and your love for one for another.

One of the best pro-marriage programs is the **Worldwide Marriage Encounter Weekend Experience**. These weekends are designed to make your marriage even more wonderful, enjoyable, more joy-filled, and more full of love.

If your marriage is ever in trouble, there is a fantastic program called “**Retrouvaille**”. That is a French word for “Rediscovery”. This valuable program was established at the personal request of Pope John Paul II. Everything about this program is totally and absolutely confidential. It has been developed to help couples in troubled marriages, even couples who are separating but who want to try to save it. There are only two requisites. The first, is that if a third party is part of the problem, that that party be dropped from the picture. The second requisite, is that the couple commit themselves to the full weekend experience and the five follow-up get-togethers.

#### **XV. You and Your Children**

Children are an integral part of marriage. They are much more than some biological result. Rather, children are your making human your love and commitment for one another. They say to the world, “See how my mommy and daddy love each other. They love each other so much that they participated with God in creating me.”

When your parents attend your wedding, they will see not a man and woman but rather they will see in you their love with God’s help made into a human man/woman.

After giving the Gift of Life, the next greatest Gift you can give your child is the Gift of becoming and being a Child of God through the Sacraments of Initiation: Baptism and Chrismation. You may never fully comprehend what all this means, till one day in heaven when your child joins you and they thank you not only for the gift of life but also for helping him/her become a Saint of God. What greater reward could ever await you, then that day and that hug!

As parents you are the primary educators of your children in every way, including in the faith. Part of your wedding commitment, is to fulfill this responsibility.

You fulfill this requirement toward your child, by having him/her baptized soon after birth. The Baptism-Chrismation should take place where you and your child worship God by attending Sunday Liturgy.

The only requirement to baptize-chrismate your child, is that you yourself are practicing the Catholic Christian Faith as best as you can. Praying daily, receiving the Sacraments frequently, participating each Sunday in the Sacred Liturgical Mystery, etc. During the Baptismal-Chrismation Ceremony, you solemnly pledge again to God to fulfill this responsibility. To baptize-chrismate a child without any intention to fulfill these requirements, would be to make a mockery of these Sacred Mysteries, for Baptism-Chrismation is as much a commitment of your child to Christ as your wedding vows are commitments of each one of you to the other.

Also, you are encouraged to have one or two sponsors for your child's Baptism. The role of the sponsor is to help educate your child in the faith. Thus, the sponsor must be at least 16 years of age and also must be a "**Practicing Catholic.**" This term "**Practicing Catholic**" is a very specific term. It means that the person chosen is:

1. A Catholic who has received all the Sacraments of Initiation: Baptism, Confirmation, and Holy Communion.
2. A Catholic who receives the Sacraments of Penance and Eucharist frequently.
3. A Catholic who, if married, is married in the Catholic Church. Catholics who are not married in the Catholic Church cannot receive the Sacraments of Penance or Holy Communion, as their marriage is not recognized by the Church.
4. A Catholic who is living a Christian moral life and whose manner of living you would like your child to imitate.