



From the desk of the Judicial Vicar:

In order to clarify the course of action that must be taken before a person who has been married before may contract another marriage in the Catholic Church, I have developed this simple chart for your assistance. The following are likely presumptions as to the validity of a previous marriage and the likely course of action needed to rectify the situation.

If a person was married before and in that marriage:			
One person is:	And the other is:	And the marriage took place:	Then the marriage is:
Catholic	<u>Catholic</u>	In a Catholic church or chapel	Valid Annulment
Catholic	<u>Catholic</u>	In a non-Catholic church, chapel, courthouse, or other location	Invalid Lack of canonical form
Catholic	<u>Non-Catholic</u>	In a Catholic church or chapel	Valid Annulment
Catholic	<u>Non-Catholic</u>	In a non-Catholic church, chapel or other location <i>with</i> a dispensation from canonical form	Valid Annulment
Catholic	<u>Non-Catholic</u>	In a non-Catholic church, chapel, courthouse, or other location <i>without</i> a dispensation from canonical form	Invalid Lack of canonical form
Non-Catholic	<u>Non-Catholic</u>	<i>Anywhere</i> – (including churches, chapels, courthouses, destination weddings, backyards, etc.)	Valid Contact Tribunal

1. Catholics are bound by canonical form. Marriages involving at least one Catholic must be contracted in the presence of the Church's minister (a priest or deacon) with the faculty to assist and two witnesses. (cc 1108 § 1 and 1117)
2. For sufficient reasons, a Catholic wishing to enter marriage with a non-Catholic may be granted a dispensation from canonical form to celebrate the wedding in a non-Catholic church or chapel in the presence of a non-Catholic minister. (c 1127 § 2)
3. If canonical form is not observed by Catholics, the marriage is invalid by reason of a lack of canonical form. ***Two Catholics cannot be dispensed from form.***
4. Non-Catholics are not bound by canonical form; only Catholics are.
5. Therefore if two non-Catholics enter marriage, they may enter marriage validly anywhere, including courthouses and other venues.
6. Whereas canon law once allowed a Catholic to leave the Catholic Church by formal act and be dispensed from canonical form that provision has been stricken. The current rule of thumb is: Once Catholic; always Catholic, for the purpose of canonical form.
7. Please do not hesitate to contact me, Rev. Brian Belongia at, bbelongia@gbdioc.org or (929) 272-8172 with any questions or clarifications.