

## Marriage Annulment Ministry

The following myths and misconceptions about being divorced and Catholic is an excerpt from an article written by Adaire Lassonde, SSND, Program Specialist for Services for the Separated and Divorced, Catholic Charities, St. Paul and Minneapolis Archdiocese.

### Four Misconceptions About Divorce

- 1. *Divorced persons are excommunicated.*** The fact is that the Bishops of the United States did place excommunication upon divorce during their 1843 Council in Baltimore. But they withdrew the censure in 1884 because they realized it was too severe. This was only in The United States Church and not the European Church. The penalty remained for those remarried without a declaration of nullity (annulment), however *this was lifted in 1977.*
- 2. *Communion is not to be taken by a divorced person.*** A divorced Catholic can never be prohibited from receiving Communion. Only during the 41-year period mentioned above were they not allowed reception of the sacraments. Because the Church cannot recognize a remarriage without a declaration of nullity, church discipline prescribes that these persons not receive the sacraments. Persons in this situation should seek spiritual guidance from their pastor. Another Canon maintains that Communion can only be refused to someone who has been excommunicated, or who obstinately perseveres in grave sin. In some cases, a well-formed conscience may lead to freedom to approach the sacraments.
- 3. *The divorced person cannot have a Church burial.*** There is no reason why a person who is divorced cannot be buried from the Church.
- 4. *The divorced person may not take part in lay ministry in the parish.*** No Church law prohibits a divorced person from being a sponsor for baptism, a witness at a Catholic marriage, or assuming leadership in the church as a member of a parish council, lector, teacher of

religion, Communion distributor, etc. Parishes are to include them in parish participation.

#### **Four Misconceptions About a Declaration of Nullity (Annulment)**

1. *By granting a declaration of nullity the Church is saying that the marriage never existed.* What the Tribunal (Church court) is doing is responding to a petitioner by determining if the marriage was a sacrament. If the marriage lacked some of the essential elements that must be present, it is determined that there wasn't a true bond between the wife, husband and their God.
2. *A declaration of nullity would imply that the children of that marriage are illegitimate.* The Church recognizes all marriages, whether civil or religious, to be valid marriages. All children of these marriages are legitimate.
3. *If you have money or you know someone in your local Tribunal, you will get a declaration of nullity.* There is a set fee for each annulment in a local Tribunal. Knowing someone in a high rank can't make a marriage a sacrament or not. That is determined by the testimony given by the couple and those who know them.
4. *Getting a declaration of nullity can take years and years.* The time it takes for the annulment process is determined by many events: the petitioner and the ex-spouse's time to answer the necessary questions, the time it takes to gather testimony from those who know the couple, the Tribunal staff's time in examining the evidence and making a determination, and the time it would take for the decision to be returned after it is sent to a second Tribunal of another diocese for acceptance or rejection of the decision. In our local Archdiocese that can be between 8 and 14 months.

If you have further questions about a declaration of nullity (annulment) or wish to look further into this process, please call Deacon Al Schroeder at 952.405.7205 or [aschroeder@paxchristi.com](mailto:aschroeder@paxchristi.com).