

**THEN BECAUSE I AM DIVORCED AND REMARRIED WITHOUT A DECLARATION OF INVALIDITY I AM NO LONGER A CATHOLIC?**

No. Pope Francis, Pope Benedict XVI and Pope Saint John Paul II have affirmed many times that Catholics who have attempted remarriage outside the Church are still members of the Church and have a right to worship and a right to pastoral care.

**WHAT IS A DECLARATION OF INVALIDITY?**

A declaration of invalidity (annulment) is a statement by the Church after investigation by a church court (Tribunal) that the bond of marriage was never brought into existence when the parties exchanged vows. While a declaration of invalidity recognizes that a civil marriage existed, marriage as understood by the Catholic Church did not come into existence due to the presence of certain circumstances.

**WHAT IS A TRIBUNAL?**

A Tribunal is a church court. It is staffed by officials who are appointed by the bishop and who have received special education and training to represent him and the faith community in Church proceedings for marriage cases and for other matters of Church law.

**IS A DECLARATION OF INVALIDITY A “CATHOLIC DIVORCE”?**

No. No human power can dissolve a valid, consummated marriage between two baptized persons. A declaration of invalidity is not a dissolution or ending of a marriage. It is a pronouncement by judges that a valid marriage as understood by the teaching of the Catholic Church did not exist.

**WHO MAY APPLY FOR A DECLARATION OF INVALIDITY?**

Any divorced person (Catholic or non-Catholic) who has a reason for the Catholic Church to investigate the validity of a marriage may apply.

**HOW LONG DOES THE PROCESS TAKE?**

It is not possible to predict accurately the time it will take to complete the case or to guarantee that the decision of the judges will be favorable to one’s petition. Church law calls for the process to be no longer than eighteen months.

**IS EVERY CASE PROCESSED IN THE SAME MANNER?**

No. There are different types of cases, depending on a person’s baptismal status and other factors. It is necessary to seek advice from a parish minister before submitting a case to the Tribunal.

**Tribunal Officers**

Most Rev. Nelson J. Perez, D.D.  
Bishop of Cleveland

Reverend Gary D. Yanus, J.C.D.  
Judicial Vicar

Reverend Charles F. Strebler, J.C.L.  
Adjunct Judicial Vicar

Mr. Vincent Gardiner, J.C.L.  
Judge

Ms. Lynette Tait, J.C.L.  
Judge

Mr. Carl A. Caldwell, M.A., J.C.B.  
Defender of the Bond

Reverend William M. Jerse, J.C.L.  
Defender of the Bond

Rev. A. Jonathan Zingales, J.C.L.  
Defender of the Bond

Reverend Richard Bona, JCL  
Auditor

Mrs. Kate E. Fiala  
Auditor

Mrs. Judith R. Liederbach, M.A.  
Auditor

Mrs. Amy E. Riggle  
Auditor

Reverend Adam A. Zajac, M.A.  
Auditor

**The Tribunal  
1404 East 9<sup>th</sup> Street, 7<sup>th</sup> Floor  
Cleveland, Ohio 44114**

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[tribunal@dioceseofcleveland.org](mailto:tribunal@dioceseofcleveland.org)

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Your Name:

Address:

Daytime contact telephone number:

Email address:

Comments or questions:

### **WHAT DOES THIS PROCESS COST?**

The Diocese of Cleveland charges no fees for the processing of any cases. The Tribunal is funded by the offerings of the lay faithful of the Diocese.

### **DOES A DECLARATION OF INVALIDITY AFFECT THE LEGITIMACY OF MY CHILDREN?**

No. Church law states that the status of children is not affected. Furthermore, the result of the decision has no civil effects in the United States.

### **MUST THE TRIBUNAL CONTACT MY DIVORCED SPOUSE?**

Yes. If the other spouse is impossible to locate or refuses to reply, the Tribunal can still proceed with the case.

### **HOW DO I START A CASE?**

It is required that you contact your parish priest, deacon or pastoral minister who will be most willing to assist you. If you prefer, you may also contact the Tribunal for a referral.

If you have additional questions or would like to receive more information, please complete the form on the opposite page.

## ***Common Questions Regarding Divorce and Remarriage in the Catholic Church***

### **WHAT IS THE TEACHING OF THE CATHOLIC CHURCH ON MARRIAGE?**

Marriage is a covenant by which a man and a woman establish between themselves a partnership of the whole of life directed toward the good of both spouses and the procreation and education of children. Marriage is distinguished by its permanence and by the fidelity of the spouses.

### **IS A DIVORCED CATHOLIC PERMITTED TO RECEIVE THE SACRAMENTS?**

If otherwise properly disposed, being divorced does not, in and of itself, prevent a person from receiving the Eucharist and the other sacraments. A divorced person is fully and completely a member of the Church.

### **DOES THAT MEAN A DIVORCED CATHOLIC REMARRIED OUTSIDE THE CHURCH MAY RECEIVE COMMUNION?**

No. A Catholic who attempts remarriage without a declaration of invalidity (annulment) for a prior marriage may not receive Communion since the reception of Communion is a public statement that one adheres to the life and practice of the Church.