

**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 never came into existence at the time of the wedding. While a declaration of invalidity does not dispute that a civil marriage occurred, marriage as understood by the Catholic Church did not exist 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 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 an evidence-based judgement that a valid marriage as understood by the Catholic Church did not exist from time of the wedding.

**Who may apply for a declaration of invalidity?**

Any person (Catholic or non-Catholic) who has a reason for the Catholic Church to investigate the validity of his or her 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. It may take around a year; sometimes less, sometimes more. Petitioners should not make specific plans (for example, for a future wedding) until the case has been completed.

**Is every marriage declared invalid?**

No. Not every marriage is invalid, even though the spouses divorced. In addition, lack of evidence can sometimes prevent the Tribunal from being certain that a marriage is invalid. Nevertheless, currently most petitions submitted to the Diocese of Cleveland Tribunal receive the result that the petitioner requested.

**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 trained parish Case Specialist before submitting a case to the Tribunal.

**Tribunal Officers**

Most Rev. Edward Malesic, JCL, DD  
Bishop of Cleveland

Rev. Gary D. Yanus, JCD  
Judicial Vicar

Rev. Richard Bona, JCD  
Adjunct Judicial Vicar

Rev. Charles F. Strebler, JCL  
Adjunct Judicial Vicar

Mr. Vincent Gardiner, JCL  
Judge

Ms. Lynette Tait, JCL  
Judge

Mr. Carl A. Caldwell, MA, JCB  
Defender of the Bond

Rev. Timothy Roth, JCL  
Defender of the Bond

Mrs. Kristen L. Craig, JD  
Auditor

Mrs. Mollie Kulig, MA  
Auditor

Ms. Jill Latkovich  
Auditor

Rev. Adam A. Zajac, MA, M.Div  
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Your Name:

Address:

Daytime contact telephone number:

Email address:

Comments or questions:

**How much does this process cost?**

Nothing. The Diocese of Cleveland charges no fees for any case. The operation of 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. Your divorced spouse has the right to be informed of the petition and to participate if he or she chooses. If your divorced spouse is impossible to locate or refuses to reply, the Tribunal can still proceed with the case.

**How do I start a case?**

Make an appointment with a trained Case Specialist at a parish of your choice. You can obtain a referral to a Case Specialist by calling the Tribunal; by contacting your local parish; or by visiting [www.dioceseofcleveland.org/offices/tribunal](http://www.dioceseofcleveland.org/offices/tribunal).

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

***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 indissolubility 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. Remarriage while the bond of the previous marriage remains is contrary to the lifelong nature of marriage.