

CANONICAL PROCEDURES

MARRIAGE, SACRAMENTAL RECORDS,
AND ASCRIPTION TO CHURCHES *SUI IURIS*



Secretariat for
Canonical Services

Catholic Diocese
of Cleveland

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for

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ASCRIPTION TO CHURCHES *SUI IURIS*

April 2023

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FOREWORD

Dear Priests, Deacons, and Pastoral Ministers,

Pope Francis has stated, “Marriage is a symbol of life, real life: it is not ‘fiction’! It is the Sacrament of the love of Christ and the Church, a love which finds its proof and guarantee in the Cross. My desire for you is that you have a good journey, a fruitful one, growing in love. I wish you happiness. There will be crosses! But the Lord is always there to help us move forward” (Homily, September 2014). The journey of a couple preparing for marriage begins quite often with the assistance of a parish minister who entrusts with the couple the mystery and beauty of the Sacrament of Matrimony, the sacrament which brings about the creation of the ‘domestic church.’ In the unity of the Christian family, husband, wife and their children are exposed to and learn from one another the true meaning of love, peace, and sacrifice.

The theological richness of our Catholic tradition regarding the uniqueness of the matrimonial covenant is lived out and made manifest in the liturgical celebrations which give expression to what the Church believes. Before a man and a woman approach the day in which they, before the assembly of the Catholic community, give consent to marriage as a life-long community of life and love open to the gift of children (cf. canon 1055), the assistance of parish ministers is required to ensure that the bride and groom are properly disposed and prepared for marriage. An integral part of the preparation is the responsibility of the preparing minister to assure the community of the Church, as well as the couple, that they are entering a marital union which is canonically valid and licit as according to the precepts of universal and particular law.

The revised *Canonical Procedures* as prepared by the staff of the Secretariat for Canonical Services replaces the previous handbook published in April, 2014 and its later revisions. This booklet has been revised and updated to include changes in the canon law as well as procedures and practices employed by the staff of the Secretariat for Canonical Services to ensure the lawful and valid celebration of the sacraments, particularly that of Holy Matrimony, and for creating and maintaining sacramental records. It is hoped that this publication will be a useful reference to parish ministers in their service to the people of God. I ask that you carefully review the contents of this booklet so that you can be of assistance to those couples who seek your assistance in their desire to marry in the Catholic Church.

I assure you that the staff of the Secretariat for Canonical Services is disposed to answering any and all questions regarding the content of the booklet as well as any other questions which may arise in the celebration of the sacraments within your parish.

With prayerful gratitude for your service to the people of God of the Church in Cleveland,
I am,

Sincerely yours in Christ,

The Most Reverend Edward C. Malesic, J.C.L.
Bishop of Cleveland
April 17, 2023

INTRODUCTION

The Secretariat for Canonical Services has been designated by the Bishop of Cleveland to manage requests for canonical permissions and dispensations from ecclesiastical law pertaining to the preparation and the celebration of marriage. The Bishop has delegated several persons assigned to the Secretariat to process requests for dispensations and permissions according to canon law and diocesan policy.

Issues involving the practice of recording and maintaining sacramental records, the procedures for convalidation including sanation of marriages, marriages between a Latin Catholic and an Eastern Christian, transfer of Church *sui iuris*, the rights of catechumens, and other issues directly and indirectly related to the celebration of marriage in the Catholic Church have been included in this publication. All procedures, policies, and forms found in this booklet specific to the Diocese of Cleveland have been reviewed and approved by the Bishop of Cleveland. Questions or issues regarding any information in this publication may be directed to the staff of the Secretariat for Canonical Services.

PURPOSE OF THIS BOOKLET

The purpose of this booklet is to provide convenient and accurate reference for priests, deacons, and lay ecclesial ministers assisting individuals in preparing for marriage and other sacraments in the Catholic Church. The material within the booklet includes reference to the universal law of the Church as well as particular law and policy specific to the Diocese of Cleveland.

It was the objective of those who have prepared this booklet to make it user friendly. It is hoped that the format will provide easy access to needed information. Individual questions from parish ministers are always welcomed by the staff of the Secretariat for Canonical Services (216-696-6525, ext. 4000 or 800-869-6525, ext. 4000).

The Reverend Gary D. Yanus, J.C.D.
Secretary for Canonical Services
April 17, 2023

I. THE PRE-NUPTIAL FILE

Typically the Pre-Nuptial File is maintained at the parish in which the wedding is celebrated. Exceptions to this rule are stated in section II of this manual, **MATRIMONIAL DISPENSATIONS AND PERMISSIONS**.

Pre-Nuptial files are considered to be part of the Church files as amplified sacramental records and as such may be used by the Diocesan Tribunal or Chancery without formal release by the couple.

Pre-Nuptial files are never released to the couple or anyone other than the Diocesan Tribunal or Chancery.

A. Information For Marriage Form

This form is to be completed for all marriages including convalidations (both sanations and with a new wedding ceremony). It is especially important to determine the Church *sui iuris* of the Catholic party or parties (e.g., Ruthenian [‘Byzantine’], Latin, Melkite, Ukrainian, Maronite, etc.).

1. Spiritual and Personal Assessment Sections

The preparing minister is to write a brief assessment in each of the sections. These questions help to guide the minister in his fulfillment of his obligations to prepare and evaluate the couple, and the written record may prove helpful in any subsequent evaluation of the couple.

2. Canonical Assessment Section

The preparing minister must determine that the parties are free to marry in the Catholic Church (cc. 1066, 1114). The Canonical Assessment Section addresses the following points:

- a.) Previous marriages and proofs of their freedom to marry such as a certificate confirming the invalidity of a previous marriage or death certificate of a previous spouse;
- b.) Other impediments;
- c.) Identification of dispensations or permissions needed.

The preparing minister must answer each question, using the space provided for any necessary explanations or clarifications.

3. Marriage Outside of Proper Parish

Since it is a special function of the pastor of the bride or groom to witness the marriage, permission **must be obtained** if the wedding is to take place elsewhere (cc. 530, 4°; 1115). If the marriage is to take place outside the proper parish of both the bride and the groom, the officiant must obtain permission for the marriage from one of the proper pastors.

Permission for a marriage outside the proper parish is to be recorded on the *Information For Marriage Form*.

4. Delegation of Catholic Priest or Deacon

An essential component of the Catholic form of marriage is that the witnessing minister must have the authority to receive the consent on behalf of the Church. If a deacon or a priest other than the pastor or parochial vicar of the parish in which the wedding will take place is to officiate, he must have specific and expressed delegation from the pastor in order to assist validly at that marriage (c. 1111 §2). While such delegation can be given orally for validity, the grant of delegation must be recorded on the front of the *Information For Marriage Form*. It is the responsibility of the pastor of the parish in which the marriage is to take place to ensure the proper delegation is granted.

5. Declaration of Matrimonial Consent

The preparing minister or officiant must explore the meaning of the declaration with the couple. The declaration must be signed by the couple before the wedding, usually at the last preparation session with the preparing minister. Applications for a permission or dispensation may be submitted before these signatures are obtained.

6. Recording the Marriage

The officiant is to record the civil and ecclesiastical notifications of the marriage on the back of the *Information For Marriage Form*.

7. Rescript

The lower half of the last page of the *Information For Marriage Form* serves as the rescript. When a dispensation or permission has been granted, the Secretariat for Canonical Services will complete and notarize this section and return the pre-nuptial file to the preparing minister who submitted it. The rescript is valid for six months from the date of issuance. The Secretariat must be notified if the rescript is not used.

B. Other Documents

The following documents are to be filed with the *Information For Marriage Form*.

1. Sacramental Records

a.) Catholics must present a recently issued (within six months of the current date) baptismal certificate or proof of profession of faith such that any previous marriages, declarations of invalidity, or any impediments noted in the baptismal register would appear on the certificate. If notations concerning First Communion and Confirmation do not appear on the baptismal certificate, please verify this information by contacting the appropriate parishes.

b.) For baptized non-Catholics, a recently issued baptismal certificate is preferable, but the original certificate or a photocopy will suffice with *visum*.

c.) Once the baptismal information has been recorded on the *Information For Marriage Form*, the submitted certificates are to be retained in the pre-nuptial file. In the case of the baptized non-Catholic, a photocopy of the baptismal certificate notarized with the parish seal is to be retained in the pre-nuptial file. The original should be returned to the non-Catholic party.

2. *Prepare/Enrich Customized Couple Assessment*

While the *Prepare/Enrich (P/E)* assessment is a required and valuable instrument, it should assist and not replace personal instruction during preparation of the couple. The assessment consists of two reports.

Prepare/Enrich Facilitator Report

The *P/E Facilitator Report* must not be shown to the couple. It should be recognized for what it is; a representation of the couple's relationship at the time they took the assessment. The preparing minister is to review the assessment with the couple and write summary observations on the *Personal Assessment* section of the *Information For Marriage Form*. The *P/E Facilitator Report* is to be maintained in the pre-nuptial file.

Prepare/Enrich Customized Couple Report

The *Couple Report* is to be given to the couple. The preparing minister is to review the instrument with the parties.

3. Death of a Former Spouse

An official death certificate is required. Using the official death certificate, record the date of death, state, county, and registration number on the *Information for Marriage Form*. Information from a parish death register or a newspaper death notice is also acceptable. If proper documentation of death is not accessible, contact the staff of the Secretariat for Canonical Services for guidance.

When the preparing minister has verified proof of death of the former spouse(s) and no dispensation or permission is required, there is no need to send the pre-nuptial file to the Secretariat for Canonical Services. Contact the Secretariat if there are any questions.

4. Declaration of Invalidity

A photocopy of a tribunal document is not acceptable. An authentic document from the Tribunal of the Diocese of Cleveland has the blue seal of the Diocese of Cleveland Tribunal. The name of this document issued by the Diocese of Cleveland is *Confirmation of Invalidity of Marriage*. While the document from another diocesan tribunal may have a different title, its content and use, as stated below, remains the same.

The document must record not only that the marriage was declared invalid, but also that the decision was declared executable, i.e. that there were no appeals or that the marriage was declared invalid even after any appeals. For decisions prior to December 8 2015, there was an automatic review of all first instance declarations of invalidity of marriage, and the decision was not executable until after the review by a second court. After December 8, 2015, appeals against

the first instance decision notification are possible. In either circumstance, **the initial letter informing the party of the first instance decision is not sufficient to prove invalidity of marriage.**

When the preparing minister has seen an authentic copy of the document issued by a tribunal which declares the invalidity of the marriage **and states that the decision is executable**, the preparing minister is to record in the pre-nuptial file the name of the diocesan tribunal which issued the declaration of invalidity, and the protocol number of the declaration (e.g., *Cleveland # 0987-1998 Smith-Jones*). A photocopy of the *Confirmation of Invalidity of Marriage* with the parish seal applied must be kept in the pre-nuptial file. The original is to be returned to the party.

5. Prohibitions and cautions

When an invalidity of marriage case reveals serious concerns regarding an individual's capacity or readiness for marriage, the judge may place a prohibition or caution on a new marriage involving that party. A prohibition (*vetitum*) indicates very serious concerns which call into question the party's ability to enter another marriage. A prohibition requires specific remedial actions before it can be lifted. Before it is lifted, the party cannot marry. A caution is pastoral advice to the preparing minister, for the benefit of the party and/or the intended new spouse; action is at the prudent

For decisions of the Diocese of Cleveland Tribunal, the limitation is indicated by a stamp at the bottom of the decree confirming the execution of the declaration of invalidity. It reads:

“No arrangements for another marriage or convalidation should be made until the priest/deacon preparing the parties for marriage consults with this Tribunal.”

Decisions of other diocesan tribunals may use different means of indicating a prohibition or caution. Contact the tribunal which issued the decision, or ask for assistance from the Diocese of Cleveland Tribunal.

When the baptismal register is updated with the details of a declaration of invalidity, the presence of a caution or prohibition is indicated by the addition of the words **CONSULT TRIBUNAL**. When no limitation has been placed on a future marriage, there is no need to submit the pre-nuptial file to the Tribunal or Secretariat for Canonical Services.

If the declaration of invalidity has been issued with a limitation, the preparing minister must consult with the judge responsible for the case (or in his/her absence, another official of the tribunal) before arrangements for another marriage can be made. Tribunal personnel may only discuss the limitation with the procurator of the person on whom the caution has been placed. When the prohibition or caution must be discussed with someone who is not the original procurator, a release form, available from the Tribunal and allowing the sharing of the nature of the caution, must be signed by the person on whom the prohibition or caution was placed. When received by the Tribunal the judge may discuss the case with the person named in the release.

The judge will indicate to the minister the necessary steps to be taken in order for a prohibition to be lifted. The preparing minister will write to the Judicial Vicar detailing the steps taken to ensure that the issue leading to the prohibition is no longer present, and that the person is

now well prepared for marriage. For a caution, the judge will summarize the issues and the preparing minister will take this into account when preparing the party for marriage.

No wedding date can be promised or set until the tribunal removes the prohibition on future marriage.

6. Natural Obligations from a Previous Marriage

A person may have ongoing obligations (e.g., spousal or child support) toward a previous partner or to children from a prior relationship. The preparing minister must inquire how these obligations are being met, and indicate proof of fulfillment of the same in the space provided. Justice requires the fulfillment of these obligations before a subsequent marriage can be permitted. Therefore, the permission of the Ordinary is required before such a person can marry (c.1071 §1, 3°). The relevant sections of the *Information for Marriage* and *Application for Matrimonial Dispensation/Permission* must be completed.

II. MATRIMONIAL DISPENSATIONS AND PERMISSIONS

Some marriages require a dispensation or a permission in order to be validly and licitly celebrated in accordance with universal and/or diocesan law.

A. Dispensations

For those marriages which require a dispensation, two separate forms, the *Information for Marriage Form* and the *Application For Matrimonial Dispensation or Permission Form*, must be completed and submitted to the Secretariat for Canonical Services.

A dispensation is needed:

For a diriment impediment (cc. 1083-1094); and

When the Catholic party desires to be released from the canonical form of marriage (c. 1127)

1. Diriment Impediments to Marriage

A diriment impediment absolutely prohibits and prevents the contracting of marriage. An attempt to contract marriage without a dispensation from a diriment impediment is invalid (c. 1073).

Impediments of ecclesiastical law can be dispensed. Dispensation from Holy Orders, the public vow of chastity, and crime are reserved to the Holy See. Impediments of divine law (impotence, prior bond of marriage, and the closest degrees of consanguinity) cannot be dispensed.

There are twelve diriment impediments to marriage. Please consult a canonical commentary for a fuller understanding of impediments and their dispensation.

a. Age

A man under sixteen and a woman under fourteen years of age cannot enter a valid marriage (c. 1083 § 1).

In Ohio state law, the age for marriage without the consent of the parents is eighteen for both parties, unless an exception is made. Please refer to section 3103.01 of the Ohio Revised Code.

b. Impotence

Antecedent and perpetual inability to have intercourse, whether on the part of the man or

woman, whether absolute (with anyone) or relative (only with this one individual), of its very nature invalidates marriage (c. 1084 § 1)

No dispensation is possible for this impediment. If the pastoral minister believes that this impediment may exist in a particular case, please contact the Secretariat for Canonical Services. If the presence of the impediment of impotence is doubtful, the marriage is not to be prevented (c. 1084 §2).

Sterility (without impotence) neither invalidates marriage nor renders it illicit (c.1084 § 3).

c. Prior Marriage

One who is still bound by the bond of a prior marriage invalidly attempts another marriage (c. 1085 §1). No dispensation is possible for this impediment.

The invalidity or dissolution of a prior marriage must be canonically established before another marriage can be celebrated (c. 1085 §2).

d. Disparity of Worship

Marriage between two persons, one of who is baptized in the Catholic Church or has been received into it and the other who is not baptized, is invalid (c.1086 § 1).

The impediment of Disparity of Worship is not to be dispensed unless all of the conditions mentioned in cc. 1125 and 1126 are fulfilled, namely:

- i. That the pre-nuptial declaration and promise has been made by the Catholic party;
- ii. The other party is aware of the Catholic party's declaration and promise;
- iii. The couple has been instructed on the essential ends and properties of marriage (c. 1086 § 2).

Marriage within Mass is not permitted between a baptized person and a non-baptized person (See *Rite of Marriage, n. 98*).

e. Sacred Orders

Those who have been ordained deacon, priest, or bishop invalidly attempt marriage (c. 1087).

When a priest or deacon who has been dismissed from the clerical state or dispensed from its obligations approaches a preparing minister to make arrangements for a marriage, the Secretariat for Canonical Services must be contacted for specific instructions.

f. Public Perpetual Vow of Chastity

Persons who are bound by a public perpetual vow of chastity in a religious institute invalidly attempt marriage (c. 1088). One who has been released from the vow of chastity must

present a rescript to that effect. Contact the Secretariat for Canonical Services for verification of the rescript.

g. Abduction

A woman who has been abducted or detained for the purpose of marriage cannot marry as long as the woman remains in the power of her abductor. The impediment ceases when the abducted woman, separated from the abductor and placed in a safe place, consents to have him for her husband (c. 1089). For Eastern Catholics, this impediment applies also to situations where the man has been abducted.

h. Crime

One who causes the death of one's own spouse or the spouse of an intended partner, or who conspires with that person to kill the spouse of one of them, invalidly attempts marriage (c. 1090).

i. Consanguinity

Regarding blood relatives, marriage is invalid in the direct line between all ancestors and descendants, (e.g. grandmother, mother, daughter) whether they are related legitimately or naturally (c. 1091 §1).

In the collateral line, marriage is invalid up to and including the fourth degree (e.g., first cousins, uncle-grandniece, aunt-grandnephew) (c.1091 §2).

If there exists any doubt whether the parties are related through consanguinity in any degree of the direct line or in the second degree of the collateral line (i.e., brother and sister), marriage is never permitted (c. 1091 § 4).

No Ohio marriage license will be issued to persons nearer of kin than second cousins (Ohio Revised Code 3101.01).

j. Affinity

In a valid marriage, affinity arises from the in-law relationship between one spouse and the blood relations of the other spouse (c. 109). Affinity in the direct line in any degree invalidates matrimony (c. 1092). Affinity includes direct descendants or ancestors of the spouse, including stepchildren, mother/father-in-law.

k. Public Propriety

Those who have lived together in an invalid marriage or in public concubinage may not, in the future, marry one another's blood relatives in the first degree of the direct line. Thus, a man cannot validly marry the mother or the daughter of a woman he was living with as his mistress or pseudo-wife (c. 1093).

1. Adoption

All who are related in the direct line or in the second degree of the collateral line (brothers and sisters) through a legal relationship arising from adoption invalidly attempt marriage (c. 1094).

2. Dispensation from the Canonical Form of Marriage

Catholics are required to be married using the marriage rite of the Catholic Church witnessed by a properly delegated Catholic priest or deacon and in the company of two witnesses. Failure to observe this ‘canonical form of marriage’ results in an invalid marriage.

Canonical form must be observed when at least one of the parties is a baptized Catholic or was received into the Church through a profession of faith. The form consists of marriage before a delegated Catholic priest or deacon and two witnesses according to the Catholic ritual of marriage (c. 1108).

With proper dispensation and for a just cause, a Catholic may be married before a minister in a non-Catholic church and have the marriage recognized as valid by the Catholic Church. In a marriage of mixed religion (that is, a marriage between a Catholic and a non-Catholic Christian) or disparity of worship (marriage of a Catholic and a non-baptized person), the local ordinary of the Catholic party can dispense from the canonical form if there are serious difficulties with its observance. For validity, however, there must be some public form of celebrating the marriage (c. 1127). A dispensation from the canonical form of marriage for two Catholics can only be granted by the Apostolic See and only for a very serious reason.

In the Diocese of Cleveland, a marriage between a baptized man and baptized woman must take place in a sacred space even if the parties have been dispensed from observing the canonical form of marriage. Outdoor weddings are not permitted for marriages of two baptized persons.

B. Permissions

For those marriages which require permission, two separate forms, the *Information for Marriage Form* and *Application For Matrimonial Dispensation or Permission Form* must be completed and submitted to the Secretariat for Canonical Services. The proper documents must be included with the application.

Permission from the Bishop or his proper delegate is needed for a wedding:

- In the Eastern Church of the bride instead of the Latin Church of the groom
- In the Latin Church of the bride instead of the Eastern Church of the groom
- Of mixed religion (Catholic with a baptized non-Catholic) (c. 1124)
- By a Catholic priest or deacon celebrating the Catholic form of marriage in a Protestant church building (c. 1118)
- Of a Catholic and a non-practicing Catholic (e.g., one who is baptized in the Catholic Church but never catechized)
- Of transients who have no fixed residence (c. 1071)
- Whenever the civil law on marriage would be violated (c. 1071) (e.g., either

party aged under eighteen years [unless an exception applies], or relatives closer than second cousins)

- Of a person who is bound by natural obligations toward another party or toward children, arising from a prior union (c. 1071, 3°)
- Of a Catholic and a person who has notoriously rejected the Catholic faith (i.e., one who consciously and publicly has rejected the Catholic faith) [c. 1071]
- Of a person who is bound by an ecclesiastical censure (c. 1071)
- Of a person under eighteen years of age when the parents are unaware of the marriage or are reasonably opposed to it (c. 1071)
- Of a marriage to be entered by means of a proxy (c. 1071)

See also **Natural Obligations from a Previous Marriage** in section one of this booklet.

C. The Application Form

The dispensation or permission is valid for six months from the date of issue. Both the *Information For Marriage Form* and *Application For Matrimonial Dispensation or Permission Form* are to be submitted to the Secretariat for Canonical Services **no more than six months and no less than six weeks** before the wedding.

1. General Information

a. The proposed date of the wedding, the parish where the records will be filed, and religious information about the parties, are to be recorded on the application.

b. If there is any doubt as to the fact or validity of the baptism of a non-Catholic person, 'Permission to marry a baptized non-Catholic and dispensation from the impediment of Disparity of Worship *ad cautelam*' is to be requested. The baptism of the Catholic party must always be certain and verified.

c. A dispensation from an ecclesiastical law may not be granted without a just and reasonable cause. The same holds true for granting the permission for a marriage of mixed religion (cc. 90, 1125). The preparing minister must, therefore, provide reasons why the dispensation and/or permission should be granted

2. The Pre-nuptial Declaration and Promise

a. The Catholic party must make this declaration and promise whenever the other party in the marriage is not Catholic or is a non-practicing Catholic. The Catholic party is always required, without exception, to make this declaration and promise.

b. The preparing minister must sign and date the pre-nuptial declaration and promise in the space provided. The signature of the preparing minister certifies that:

The couple has received appropriate premarital instruction;

The Catholic party has made the required declaration and promise;

The non-Catholic has been informed of the declaration and promise of the Catholic party (c. 1125).

3. Dispensation from Canonical Form

Please provide all information requested in this section, especially the name of the officiating minister. As with any dispensation or petition, the preparing minister must provide the reasons for the request.

D. Granting Dispensations and Permissions

Submitting a request for a dispensation or permission, even though there may be some reservations, indicates that the preparing minister endorses the proposed marriage.

The following steps are to be followed when applying for a dispensation or permission:

1. The preparing minister submitting the request must sign the *Application for Matrimonial Dispensation or Permission* in the designated area.
2. The Secretariat for Canonical Services will return the *Information For Marriage Form*, and any other documents to the preparing minister. These must be retained in the pre-nuptial file.
3. The Secretariat for Canonical Services will complete and notarize the rescript (the lower half of the last page of the *Information For Marriage Form*). The *Application for Matrimonial Dispensation or Permission* remains on permanent record in the Diocesan archives.
4. When applying for a dispensation/permission, the preparing minister must submit the applicable documents:

The Catholic party's baptismal certificate, with notations, issued within six months of the request;

A copy of the baptismal certificate of the non-Catholic party, if available;

A copy of the civil marriage record is necessary, if the parties are already civilly married to each other;

The *Confirmation of Invalidity of Marriage* for all previous marriages of the bride/groom;

A death certificate for former spouse of bride or groom;

The canonical reason for the dispensation and/or permission;

The precise date of the wedding;

The completed *Information For Marriage Form*;

Complete information regarding the place and officiant of the marriage outside of canonical form.

E. Pre-nuptial File Retention

Typically the pre-nuptial file is retained in the Catholic parish of celebration.

When a dispensation from canonical form is granted, the parish from which the request was made retains the pre-nuptial file.

When marriage is celebrated according to the canonical form outside a parish church, the territorial parish in which the celebration occurred retains the pre-nuptial file.

F. Marriages Outside the Diocese of Cleveland and Arrangements for Parties Living Outside The Diocese of Cleveland.

Communication is conducted through the administrative offices of the two dioceses. The *nihil obstat* of both dioceses is required. Pre-nuptial files will be sent to the church of celebration outside the Diocese of Cleveland through the Secretariat for Canonical Services of the Diocese of Cleveland. Pre-nuptial files received from outside the Diocese of Cleveland will be sent by the Secretariat for Canonical Services to the church of celebration within the Diocese of Cleveland.

The request for dispensations and/or permissions will be forwarded by the Secretariat for Canonical Services of the Diocese of Cleveland to the ordinary of the Catholic party when the Catholic party has domicile outside the Diocese of Cleveland. The dispensations/permissions may be granted through the Secretariat for Canonical Services of the Diocese of Cleveland when the Catholic is domiciled in the Diocese of Cleveland or when the Catholic is actually present in the Diocese of Cleveland at the time the dispensation/permission is granted.

Pre-nuptial files that need to be forwarded outside the continental United States must be sent to the Secretariat for Canonical Services of the Diocese of Cleveland **no later than two months** before the proposed date of marriage. The parties are solely responsible for the documents and proper procedures required by the place of marriage.

Parishes will be invoiced for forwarding pre-nuptial files that need to be sent by special means, overnight express, or same-day delivery. In order to ensure efficient and reliable communication of wedding files for weddings that are celebrated outside the United States, the Secretariat for Canonical Services employs the services of a certified, bonded, courier. The Secretariat for Canonical Services requires that a fee of one-hundred dollars (\$100) in the form of a parish check made payable to the Diocese of Cleveland be sent with the wedding files that need to be transferred to international locations.

A priest or deacon from outside the Diocese of Cleveland must have a letter of suitability from his Ordinary. The letter must be sent to the attention of the Secretary and Vicar for Clergy and Religious of the Diocese of Cleveland. The office of the Secretary and Vicar For Clergy and Religious of the Diocese of Cleveland will send a letter of suitability to the pastor of the church where the marriage is to be celebrated and to the diocese or religious community of the minister

who is to officiate. The priest or deacon must also apply to the State of Ohio for a license to officiate at a wedding. Further instructions can be found at <http://www.sos.state.oh.us/sos/recordsIndexes/MinisterLicense/licensing.aspx>.

Any priest or deacon who is to officiate at a wedding outside of the Diocese of Cleveland must request a letter of suitability from the Secretary and Vicar for Clergy and Religious of the Diocese of Cleveland at least two weeks in advance of the need for the document. The office requires two weeks to fulfill a request for the letter. The priest or deacon must additionally ensure that he has proper delegation to assist at the wedding, from the territorial pastor where the wedding will take place. The priest or deacon will also need to ensure that he is able to fulfill the civil requirements to witness a wedding in another state; contact the local diocese for further information.

III. THE CATHOLIC MARRIAGE CEREMONY: Valid Assistance by a Priest or Deacon

A. Territorial Parishes

By universal law pastors validly assist at all marriages, not only of their own subjects but also of non-subjects, but only within the limits of their own territory, provided that at least one of the parties is of the Latin rite (c. 1109). Diocesan faculties give this faculty also to parochial vicars.

By universal law the pastor may delegate an individual priest or deacon to assist at a specific, determined marriage celebrated within the territory of the parish (c. 1111). Diocese of Cleveland faculties give this faculty also to parochial vicars. Other clergy must have the faculty to grant this delegation.

Delegation is required in cases of weddings in chapels of institutions within the territory of a given parish, and for Catholic weddings by a priest or deacon in a Protestant church within the territory of a given parish.

A pastor may grant general delegation to a priest or deacon to assist validly at marriages within the limits of his parish territory. If such general delegation is given, it must be given in writing (c. 1111). The pastor must send a copy of this grant of general delegation to the Chancery, while also retaining a copy in the parish files.

B. Personal/Non-Territorial Parishes

By universal law **pastors** and **parochial vicars of personal or non-territorial parishes** are authorized to assist at marriages involving at least one of their subjects, i.e., a registered member of the non-territorial parish (c. 1110). Other clergy must check their faculties to ensure they are properly delegated.

The Bishop of Cleveland has given pastors and parochial vicars of personal or non-territorial parishes the additional faculty to assist validly at the marriages of any Latin Catholics who come to them to be married in the Catholic Church, even if neither person is a registered member of the personal parish [Diocese of Cleveland *pagella* of faculties 2009, #12]. This delegation applies to marriages in the parish church as well as any other permanent chapel located on the parish property. **Pastors** and **parochial vicars of personal parishes** are also authorized to sub-delegate this faculty, on an individual basis, to any priest or deacon in good standing who may be asked to witness a marriage at the personal parish under the above circumstances.

C. Officiating Clergy

Ordinarily, it is the responsibility of the priest or deacon who is to officiate at the wedding to prepare the couple, complete the paper work, and obtain any needed delegation, permissions, or dispensations. Occasionally, exceptional circumstances may require that another priest or deacon handle the marriage preparation and its canonical requirements. Please refer to the Marriage Policy of the Diocese of Cleveland for more detailed treatment regarding responsibility for preparation.

It is the pastor's responsibility to ensure the officiant of a marriage in his parish has the

proper credentials (e.g. letter of suitability, state license) and has been properly delegated.

1. Deacons

Deacons, with the delegation of the pastor in each instance, and with the observance of the civil and canonical requirements, may assist at marriages. General delegation for a deacon may be granted by the pastor and must be in writing; a copy of this letter should be sent to the Chancery. A copy is also to be maintained in the parish records. The delegation survives the change of pastor and remains in place until withdrawn. **A deacon may never assist (in the sense of asking for and receiving the consent) at a wedding where a party is Eastern Christian, whether Catholic or Orthodox.**

2. Visiting Clergy

When a priest or deacon of the Diocese of Cleveland witnesses a marriage in a parish outside of the territory of his own assigned parish, he must obtain delegation from the pastor of that parish.*

When a priest or deacon from outside of the Diocese of Cleveland is to officiate at a wedding within the Diocese of Cleveland, a letter of suitability for ministry from the diocese of the visiting priest or deacon must be sent to the Secretary and Vicar for Clergy and Religious of the Diocese of Cleveland.*

3. Visiting Clergy from Other States

In addition to the canonical requirements, Catholic priests and deacons coming to Ohio to witness a marriage must also fulfill the civil requirements of the State of Ohio by obtaining a license to solemnize marriages.*

*** Note:** Please see the previous section of this booklet entitled: **Marriages Outside the Diocese of Cleveland and Arrangements for Parties Living Outside the Diocese of Cleveland.**

IV. RECORDING MARRIAGES

A. The Parish Marriage Register

1. Marriages Celebrated According to Canonical Form

The **territorial parish** maintains records of all marriages celebrated according to the Catholic canonical form within its boundaries, with the exception of marriages celebrated at personal parishes.

The **personal parish** maintains records of all marriages of the personal parish celebrated according to the Catholic form.

2. Marriages of Parishioners of Newly-Formed Parishes Lacking a Church Building or of Parishes Whose Church Building is Temporarily Not Usable

An exception exists for newly formed parishes without a church building or parishes whose church building is not usable, e.g., being remodeled, damaged, etc. (hereafter ‘originating parish’). The pastor of the originating parish is responsible for the marriage records of his parishioners which take place in other Catholic churches before the church is constructed or when the church is not usable. The territorial parish in which these marriages occur will keep a simple listing of these weddings in their parish marriage register, recording only the names of the couple, the date of marriage, and the name of the priest or deacon who performed the ceremony. Additionally, a notation that the complete marriage file and record is available in the marriage register of the originating parish is placed in the ‘Remarks’ column of the marriage register of the territorial parish. **The pastor of the originating parish must still obtain delegation from the territorial pastor for marriages of his parishioners taking place in these other Catholic churches.**

3. Marriages Dispensed from the Canonical Form

The pre-nuptial files for marriages that have received a dispensation from the Catholic canonical form of marriage are filed and recorded in the marriage register of the parish which applied for the dispensation.

If the marriage preparation is carried out by a priest or deacon not assigned to parish ministry or by a visitor, the marriage is recorded in the parish of the Catholic party. The pre-nuptial file is kept at the parish of the Catholic party (c. 1121 §3).

After the marriage has been witnessed, it is the responsibility of the preparing minister who submitted the request for the dispensation to see that a record of the marriage is sent to the Secretariat for Canonical Services using the form accompanying the dispensation rescript.

B. Notification to Parish of Baptism

The pastor of the place where the wedding was celebrated is responsible for notifying the pastor of the church of baptism of the Catholic parties of the fact of the marriage, which is to be recorded in the baptismal register (c. 1122). *Form M-C* cards are available from the Secretariat for Canonical Services for this purpose.

C. Other Notifications

Whenever a marriage is convalidated, sanated, declared invalid, or is legitimately dissolved other than by death, this fact is to be noted in the marriage and baptismal registers, along with the date of the action and the protocol number of the official document (c. 1123). If a prohibition or caution has been placed upon a declaration of invalidity, this information is to be recorded in the baptismal and marriage registers. The Tribunal or the Secretariat for Canonical Services will send out all notifications with appropriate instructions.

VI. CONVALIDATION AND SANATION

A. Convalidation

“Convalidation” and “validation” are the same thing. Convalidation is the word more commonly used in the Church in the United States.

A convalidation is an act to make valid a marriage which was impeded by a defect of canonical form, an impediment, or a defect of consent at the time of the wedding. If the parties previously attempted marriage but it was invalid due for some reason (for example, the preparing minister failed to apply for a necessary dispensation from an impediment, or a party held an intention contrary to Christian marriage), the marriage can be convalidated so that the parties may enjoy a valid marriage.

The convalidation of the marriage may take place with a new act of consent according to the Rite of Marriage. The cause of the prior invalidity must have been addressed, and the parties (or in the case of defect of consent, party) must give a new act of the will to consent to the marriage.

A Catholic wedding for them is simply a marriage ceremony like any other.

Even if the couple is already civilly married, the marriage preparation has the same goals as, and happens in the same manner as, for a couple who had not previously attempted civil marriage, except that the couple will provide the minister with a copy of their civil marriage certificate instead of the usual marriage license. At the wedding, the parties must each make a new act of the will to consent to marriage; it is not a “renewal of vows” or a “blessing” of an already existing “marriage.” The preparing minister will record the date, officiant, and place of the previous attempted marriage in the Canonical Assessments section of the *Information For Marriage Form*. The copy of the civil marriage record must be placed in the pre-nuptial file.

B. Sanation

The sanation of an invalid marriage is its convalidation without the renewal of consent. It involves the dispensation from an impediment if there was one, and from canonical form if it had not been observed. The canonical effects of the marriage are considered to exist retroactively from the moment the marriage was initially attempted, unless otherwise provided. **A sanation cannot be granted unless the parties intend to persevere in conjugal life.**

A sanation is an act of the competent ecclesiastical authority which removes any obstacles impeding the consent of the parties from having its natural effect. The diocesan bishop (and his delegate) can grant a sanation, unless there is an impediment which he is unable to dispense.

A sanation may be useful when there is an invalid marriage and both persons are free to marry but one of them does not see the need to give matrimonial consent according to the canonical form of marriage, or is even opposed to doing so. Thus, when one party considers the non-Catholic wedding to have been completely valid without need for any further action, in these circumstances a sanation may be a more appropriate course of action than a wedding. **The minister may especially wish to explore the possibility of a sanation instead of a wedding when one of the parties is a non-Catholic or is a non-practicing Catholic.**

A sanation can be granted even when one or both parties are unaware of the invalidity of their marriage and of the proposed sanation. Such a situation could occur when a priest or deacon failed to obtain the necessary delegation or a dispensation from a diriment impediment, without the knowledge of the couple. In such cases, it is advisable to request a sanation rather than to ask the couple to renew consent through another marriage ceremony.

The procedure for requesting a sanation is as follows:

The preparing minister must create a pre-nuptial file—the same as for any couple seeking marriage in the Catholic Church—and submit it to the Secretariat for Canonical Services. Additionally, the minister must write a letter to the Secretary for Canonical Services and include the following information:

1. Date and place of the original wedding
2. Present status of couple. The minister must investigate:
 - a. Whether the original consent of both parties to the marriage still continues; and
 - b. Whether it is probable that both parties intend to persevere in conjugal life.
3. Pre-nuptial Declaration and Promise. The Catholic party or parties must make the usual pre-nuptial declaration and promise, unless the sanation is to be granted without the knowledge of the parties.
4. Previous Marriages. Completing the Canonical Assessments section of the Information For Marriage Form, giving all necessary information regarding any previous marriages and how they have been resolved (date of death and certificate number; Tribunal case numbers of decrees of invalidity).
5. Information regarding any other impediments.
6. The date the petition was forwarded, the signature of the person submitting the request, and the name of the parish.

Send the petition to the Secretariat for Canonical Services.

When a sanation is granted, the Secretariat for Canonical Services will send a rescript to the preparing minister who made the request. The preparing minister must ensure all of the following tasks are completed:

1. Enter the names, date, officiant, sanation protocol number, and place into the parish marriage register;
2. File the rescript with the marriage papers;
3. Notify the parishes of baptism of the Catholic parties.
4. Notify the parish where the original Catholic wedding took place, if applicable.

VII. MARRIAGES INVOLVING AN EASTERN CHRISTIAN

The marriage of two Catholics of different Churches, *sui iuris*, according to the *Code of Canons of the Eastern Churches*, is to be celebrated before the pastor of the groom, unless particular law determines otherwise or a just cause intervenes (CCEO, c. 831, 2^o). If the groom is a member of an Eastern Catholic church, the Latin preparing minister should explore with the couple the possibility of approaching the proper pastor of the groom for marital preparation and celebration of the marriage. If a just cause is present, the marriage may be celebrated in the Latin Church of the bride. When requesting permission for the marriage from the Secretariat for Canonical Services, the just cause must be explained.

A deacon may never assist (i.e. receive the vows) at a wedding where a party is Eastern Christian, whether Catholic or Orthodox.

When neither of the parties is Latin Catholic, the preparing minister must send the request for any permission, dispensation or delegation for a Latin priest to officiate to the Secretariat for Canonical Services, which will contact the appropriate Eastern Catholic Church. Such cases are:

1. A marriage in the Latin Church of two Eastern Catholics; or
2. A marriage in the Latin Church of an Eastern Catholic and a non-Catholic Christian or non-baptized person.

VIII. MISCELLANEOUS TOPICS REGARDING MARRIAGE

A. Time and Place of Weddings According to Catholic Form

Each parish should establish and publish regulations regarding the time for marriages after considering the parish liturgical and pastoral schedule.

In keeping with the public character of the sacrament of matrimony, marriages are to be celebrated in the parish church. With permission of the Bishop or the pastor it may be celebrated in another church or oratory (c. 1118, 1^o). The Bishop may permit marriages to be celebrated in another sacred place, i.e., one set aside specifically for divine worship (c. 1118, 2^o).

Catholic chapels may be used only with the permission of those who administer the chapel, and with due regard for the parochial ministry of the pastor of the territorial parish in which the chapel is located (c. 559). For validity, the pastor of the territorial parish in which the Catholic chapel is located must delegate the priest or deacon who will officiate. Registration of the marriage and the pre-nuptial file are to be kept in the territorial parish where the wedding took place.

A wedding of a non-sacramental marriage (a marriage in which one party is baptized and one party is not baptized) may take place in a suitable place (c. 1118, 3^o). For validity, the pastor of the territorial parish in which the place of marriage is located must delegate the priest or deacon who will officiate. The marriage is to be registered in the sacramental records and the pre-nuptial file is to be kept in the territorial parish in which the wedding took place.

1. Weddings During Lent

The season of Lent is not a “closed time” for marriages in Church law. The minister responsible for the wedding will ensure, however, that the ceremony takes place with respect for the penitential character of the season.

2. Weddings on Sundays, Other Solemnities, or Restricted Days

The former prohibition on Sunday weddings in the Diocese of Cleveland was predicated on the preference for a nuptial Mass over a wedding without Mass, together with the Eucharistic fast from midnight of the night before and the packed schedule of parochial churches on Sunday mornings. Since these conditions no longer apply, weddings on Sundays are no longer prohibited. However, a pastor may choose not to schedule a given wedding on a Sunday if it would interfere with the needs of the parish.

Nevertheless, a wedding within Mass on a Sunday or solemnity may not be able to use the usual wedding Mass texts, but depending on the day may be required to use the text of the Mass of the day. Consult the provincial *Ordo*, or the diocesan Office for Worship (www.dioceseofcleveland.org/offices/worship) regarding the choice of texts for use within the Mass.

B. Witnesses for Marriage, and the ‘Best Man’ and ‘Maid of Honor’

Anyone—Catholic, baptized non-Catholic, or non-Christian—may be the one of the two

required canonical witnesses to a wedding, as long as they can be present at the wedding ceremony and readily understand the exchange of consent as it is given.

Usually the role of canonical witness is fulfilled by the ‘best man’ and ‘maid of honor’ who, by custom in the United States, are principal among the ceremonial attendants to the groom and to the bride. However, these are not canonical roles, and there are no specific ecclesiastical qualifications for these titles. Occasionally a minister may need to discourage or restrict attendants who may cause scandal or confusion. If necessary, canonical witnesses recorded in the marriage file may be different from the ‘best man’ and ‘maid of honor’ or their equivalents in the wedding party.

A Catholic should not assist as witness at a non-Catholic wedding where the marriage cannot be contracted validly (for example, if the “bride” or “groom” has a prior bond of marriage with someone else).

C. Banns

The banns, whose canonical purpose is to discover obstacles to the parties’ freedom to marry, are to be published in the parishes in which the Catholic parties reside. In practice, however, the publication of the banns has become the way of announcing to the parish the news of an upcoming marriage.

Banns are to be published for all weddings of two Catholics and for mixed marriages. Publication should normally take place on three successive Sundays.

D. Testimonial Letters Regarding the Freedom To Marry

When a minister from another diocese requests affidavits of a person’s freedom to marry, a minister from the Diocese of Cleveland may respond by letter after speaking to the affiants (usually parents or relatives) and inquiring as to that individual’s freedom to marry and whether they know of any canonical impediments.

The testimonial letter should be signed by the minister of the Diocese of Cleveland, impressed with the parish seal, and forwarded directly to the priest seeking the information. While there is no strict need to send this document through the Secretariat for Canonical Services, some dioceses require the *visum* of the Chancery. In the Diocese of Cleveland, the Secretariat for Canonical Services will comply with this procedure if specifically requested.

If another diocese requests a specific form, the minister must obtain that form from the requesting diocese.

E. Ecclesiastical Permission for Separation and Divorce

A spouse who causes serious danger to the other spouse or to the children gives a reason to leave the common life. This decision to leave may be taken by the spouse him- or-herself if there would be danger in delay; otherwise, permission of the local ordinary is required. Contact the Secretariat for Canonical Services in the unlikely event that this would be necessary.

A spouse who commits adultery gives the other reason to sever the common life, unless the innocent spouse condoned, consented or caused the adultery, or also committed adultery.

No separate or specific canonical permission is required to approach the civil authorities for “divorce.” Spouses should, of course, be counselled that a civil “divorce” has no effect on the bond of their marriage and that their marital obligations to each other—including the obligation of fidelity—are unchanged. Ministers must continue to support the divorced spouses throughout this new and difficult phase of their marriage.

F. Marriage of Persons with Developmental Disabilities

Preparing ministers are to contact Catholic Charities Disability Services and Ministries for consultation and assistance in preparing such couples for marriage. Disability Ministries should be contacted in ample time so that suitable arrangements can be made.

G. Marriages of Priests and Deacons Dispensed from the Obligations of Sacred Orders

When a dispensed priest or deacon approaches a preparing minister to make arrangements for a marriage, the preparing minister is to contact the Secretariat for Canonical Services for specific instructions.

H. Public Perpetual Vow of Chastity

Persons who are bound by a public perpetual vow of chastity in a religious institute invalidly attempt marriage (c. 1088). One who has been released from the vow of chastity must present a rescript to that effect. Contact the Secretariat for Canonical Services for verification.

IX. BROTHER-SISTER PERMISSIONS

As taught by Pope Saint John Paul II,

[T]he Church reaffirms her practice, which is based upon Sacred Scripture, of not admitting to Eucharistic Communion divorced persons who have remarried. They are unable to be admitted thereto from the fact that their state and condition of life objectively contradict that union of love between Christ and the Church which is signified and effected by the Eucharist. Besides this, there is another special pastoral reason: if these people were admitted to the Eucharist, the faithful would be led into error and confusion regarding the Church's teaching about the indissolubility of marriage.

Reconciliation in the sacrament of Penance which would open the way to the Eucharist, can only be granted to those who, repenting of having broken the sign of the Covenant and of fidelity to Christ, are sincerely ready to undertake a way of life that is no longer in contradiction to the indissolubility of marriage. This means, in practice, that when, for serious reasons, such as for example the children's upbringing, a man and a woman cannot satisfy the obligation to separate, they "take on themselves the duty to live in complete continence, that is, by abstinence from the acts proper to married couples."

Similarly, the respect due to the sacrament of Matrimony, to the couples themselves and their families, and also to the community of the faithful, forbids any pastor, for whatever reason or pretext even of a pastoral nature, to perform ceremonies of any kind for divorced people who remarry. Such ceremonies would give the impression of the celebration of a new sacramentally valid marriage, and would thus lead people into error concerning the indissolubility of a validly contracted marriage.

By acting in this way, the Church professes her own fidelity to Christ and to His truth. At the same time she shows motherly concern for these children of hers, especially those who, through no fault of their own, have been abandoned by their legitimate partner.

With firm confidence she believes that those who have rejected the Lord's command and are still living in this state will be able to obtain from God the grace of conversion and salvation, provided that they have persevered in prayer, penance and charity. [*Familiaris consortio* (84)]

'Brother-sister permission' is not permission to live as brother and sister; this is objectively required by Christian morality of those who can morally neither completely separate nor can marry validly. The 'brother-sister permission' is permission to be admitted to the Eucharist despite the witness publicly given against the indissolubility of marriage by the parties' public status.

Before considering the brother/sister permission as a long-term solution, all attempts to establish a party's freedom to marry must be exhausted. This would include complete pursuit of all possible declarations of invalidity of marriage and/or dissolution of marriage which would enable the party to marry legitimately.

Should parties be living in an irregular situation but be unable to separate completely for now (for example, for as long they have the responsibility to care for minor children), they may participate in the sacraments if they are willing to live a life of continence, that is, by abstinence

from the acts proper to married couples.

The pastor gives permission after verifying that:

1. A valid marriage between the parties is impossible; and
2. The presence of serious reasons which make it morally impossible to separate completely (for example, for as long as there are minor children needing parental care in the home);
3. No scandal (leading others into confusion or sin by lack of witness to the indissolubility of marriage) will result from the use of this arrangement. This means that the will only be able to receive Holy Communion where their marital status is unknown; and
4. Danger of incontinence is removed (e.g., advanced age, illness, serious operation, etc. which ensures that the parties are not likely to attempt acts proper to married couples).

The brother-sister permission is granted for the sole purpose of reception of the Eucharist and other sacraments. It does not allow the parties to act in other official capacities, e.g. godparent, Christian witness, extraordinary minister of Holy Communion, lector, confirmation sponsor, and so on.

The Secretariat for Canonical Services does not grant the permission; however, it may be consulted for advice regarding individual circumstances.

X. CATECHUMENS PREPARING FOR MARRIAGE

In marriages involving catechumens, the proper form of marriage is the *Rite for Celebrating Marriage Between a Catholic and a Non-baptized Person*. The rite used is for marriages involving two catechumens, a catechumen and a non-baptized person, a catechumen and a baptized non-Catholic, and a catechumen and a Catholic. It is not permitted to celebrate these weddings during Mass.

While catechumens have the prerogative to marry in a Catholic ceremony, they are not obliged to do so, except when they are marrying a Catholic. The marriages of two catechumens or of a catechumen and a non-Catholic are canonically valid irrespective of the form used. The marriage must have been valid according to the civil law that was in effect where the marriage took place, the parties must have exchanged valid consent, and the parties must not have been bound by an impediment of the divine law (such as the impediment of prior bond).

When a catechumen marries a Catholic, the Catholic party must request a dispensation from the impediment of disparity of worship.

A person currently in an irregular relationship may participate in the precatechumenate as part of his or her journey towards Christ, and come to understand and appreciate His teaching regarding marriage and especially its indissolubility. If he or she is not willing to withdraw from the illicit relationship, the Rite of Election and reception of the sacraments must be postponed until such time as they are willing, or until there has been a canonical change in his or her marital status (cf. also IX. Brother-Sister permissions). If a previous marriage is declared invalid or is dissolved, the party is then free to marry—which should normally happen before the person receives the sacraments of initiation. The catechumen who had been in an irregular union then becomes canonically free to celebrate the Rite of Election and to proceed toward the sacraments of initiation.

If the catechumen's present civil consort spouse was Catholic at the time of the prior wedding ceremony and the wedding was not celebrated according to Catholic form or with a dispensation, the relationship is not a valid marriage. The Catholic wedding or sanation must take place after the proper preparation for marriage but before the Rite of Election and initiation of the catechumen.

Marriage between a catechumen and a baptized non-Catholic is not a sacrament. Only baptized persons validly receive a sacrament, and both parties to a marriage must be baptized for it to be a sacramental marriage. When the catechumen, already married to a baptized person, is baptized, that marriage becomes a sacrament at the moment of baptism. Consent is not exchanged after the baptism, because it is presumed to be a valid marriage from the beginning, and the original consent is presumed to endure. A new wedding ceremony would be confusing and suggest that the couple had not been validly married.

For a fuller treatment of these questions, see John Huels, *The Catechumenate and the Law*, (Liturgy Training Publications, 1994), pp. 57-63.

XI. CANDIDATES FOR RECEPTION INTO FULL COMMUNION WITH THE CATHOLIC CHURCH

A person currently in an irregular relationship may, as part of his or her journey towards Christ, participate in the classes regarding admission to the Catholic Faith, and may come to understand and appreciate His teaching regarding marriage and especially its indissolubility.

If the person is not willing to withdraw from an illicit relationship, then celebration of the Call to Continuing Conversion, reception into the Church, and reception of the sacraments must be postponed until such time as he or she is willing, or until there has been a canonical change in their marital status (Cf. also IX. Brother-Sister permissions). If a previous marriage is declared invalid or is dissolved, the party is then free to marry—which should normally happen before the person is received into the Church. The candidate who had been in an irregular union then becomes canonically free to celebration of the Call to Continuing Conversion, to be received into the Catholic Church, and to receive the sacraments.

If the candidate's present civil consort was Catholic at the time of the prior wedding ceremony and the wedding was not celebrated according to Catholic form or with a dispensation from canonical form, the relationship is not a valid marriage. The Catholic wedding or sanation must take place after the proper preparation for marriage but before the Call to Continuing Conversion.

If the candidate was granted a Pauline Privilege or a Petrine Privilege (also known as a Favor of the Faith), the parties must exchange consent. A sanation cannot be used.

XII. TRANSFER OF CHURCH *SUI IURIS* ('Change of Rite')

The *Code of Canon Law* (c. 112) and the *Code of Canons of the Eastern Churches* (CCEO c. 32) permit that at the time of marriage or anytime during the marriage, a Latin wife or husband may transfer to the Eastern Church *sui iuris* of his/her spouse and that an Eastern Catholic wife may transfer to the Latin Church of her husband. When the marriage ends, a spouse who has changed Church *sui iuris* is free to return to his/her Church *sui iuris* of baptism.

When the request is granted the appropriate forms and notifications will be sent to the pastor/priest submitting the request. See Appendix I, C, #4 for recording instructions.

In the case of an Eastern Catholic husband or an unmarried person over the age of fourteen, the process for a formal change of Church is required. The process for that change is given below.

No person is to be forced, induced, or persuaded in any way to transfer to another Church *sui iuris* (CCEO c. 31). Such action may be punished with a just penalty (CCEO c. 1465).

Any non-Catholic Eastern Christian who is received into the Catholic Church through a profession of faith is automatically ascribed to the corresponding Eastern Catholic Church *sui iuris* and can only become a member of the Latin Church through one of the ways of transfer listed above.

The following documents are needed for consideration of a transfer of Church *sui iuris*:

1. A letter addressed to the diocesan bishop from the pastor on behalf of the petitioner(s) stating the pastoral reasons for the request.
2. Letter from the petitioner(s) requesting the transfer must include:
 - a. Petitioner's request to change stating the pastoral reasons for the request;
 - b. Name(s), address, and phone number;
 - c. Individual letters for each adult, including the names of all children under the age of fourteen;
 - d. Individual letters from any child over the age of fourteen.
3. Recent Baptismal certificates (originals dated within 6 months) for petitioner(s) and for all children who are seeking transfer of Church *sui iuris*.
4. All documents are to be included with the letter addressed and sent to the Bishop of Cleveland, who will approve and forward to the Secretariat for Canonical Services for processing.

XIII. SACRAMENTAL RECORDS

General Considerations

A. Identification for all Parish Sacramental Books

1. Identify parish with complete name, location, and founding date.
2. Indicate date of first record on title page
3. When book is completed, indicate date of last record

B. Standard Procedures and Routines for Record-Keeping

1. Record information in the sacramental registers on at least a weekly basis. Set up a regularly scheduled time to complete these entries.
2. Maintain one location (file, drawer, etc) for information that is collected for future recording in the sacramental register (e.g. preliminary forms for baptismal data). Make certain all staff who handle sacramental data (e.g. clergy, pastoral ministers, secretarial staff) are aware where the information is to be placed.
3. Use an indelible black pen for recording. Do not use felt-tip pens or fine-line markers.
4. For maximum legibility, print.
5. Verify information for accuracy before recording.
6. If this task is delegated, the pastor remains responsible for monitoring the accurateness of the registers.
7. Sacramental records are historical records. Occasionally requests have been made to change records, especially regarding a sponsor or godparents for baptism. Changes to records may only be made under specific conditions as described in these guidelines.
8. When supporting documents are necessary to make an entry in a sacramental register, such as name changes, adoptions, etc., or recording notations, such as, marriage, confirmation, decree of invalidity, retain the document in the parish archives. A special file needs to be created for this information.
9. The reception of sacraments, notably confirmation, is often done through clustering with a number of parishes. The reception of a sacrament is always noted in the sacramental register of the parish that is the place of celebration. Any required notification to the parish of baptism is done by the parish of celebration. It is the responsibility of the sending parish to provide the parish of celebration with the information required for the sacramental register and any notifications.

However, in order to ensure that the confirmation record can be located in the future, parishes sending confirmandi to a combined parish liturgy may note “Confirmation candidates from this parish were confirmed at [Name] Parish, [City], on [date]” or similar words as a line entry at the appropriate place in the parish confirmation record book, without names of the individual confirmandi.

10. Each parish is to have its own seal. Documents regarding the canonical status of the Christian faithful are to be signed by the pastor and sealed with the parish seal. (c. 535, §3)

C. Information regarding Baptismal Registers (see Part XIV for special cases)

1. It is recommended that every other line be used in the Baptismal register entries. The notations often required more space that is allotted in the notation column. The empty line between entries can be used when more space for explanations is required.
2. Family information and dates: Care should be taken that the information on the birth certificate or certified final adoption papers (names, date of birth, etc.) matches the information recorded in the baptismal register.

- a. Complete name (first, middle, last) of person being baptized. **For a woman, her maiden name is always used for the baptism entry as well as all other sacramental registers and certificates.**

- b. Parents’ complete names (surname name, first name of both parents, mother’s maiden name). For adoptions, only the adoptive parents are listed as well as the fact of the adoption.

- c. Date of birth and place of birth of person being baptized.

- d. Complete names of sponsors/godparents.

If there are two godparents, they must be one of each sex. A validly baptized Christian may serve as a Christian witness to the baptism, but only with a Catholic godparent. An Orthodox Christian may serve as a true godparent, but only alongside a Catholic godparent.

- e. The ascription to a Church *sui iuris* is to be noted in the baptismal register (c. 535, §2). If one of the parents is ascribed to an Eastern Church *sui iuris* and the other is a Latin Catholic, the parents must be asked to which Church they want their child ascribed. Their decision must be recorded in the notation section. If there is no indication, the child is automatically ascribed to the church of the father.

- f. Place name and page number in appropriate section of index

3. Order of Christian Initiation of Adults and reception of baptized Christians into the Catholic Church

- a. If the individual has not been validly baptized, the entry for baptism is made as

described above. **For women, their maiden name is always used for the baptism entry as well as all other sacramental registers, even if she is using a married name at the time of baptism and/or reception into the Church.** If there has been a legal name change an original, certified court document must be presented. See C.6. for specific instructions for this type of entry.

- b. If the individual has been validly baptized in another denomination, gather information listed in sections 1a. through 1e. above, along with date and place (church, location) of original baptism. **This is the only sacramental record in which baptism information from a non-Catholic Church is entered.**
- c. Record the complete name of the candidate, the date of reception in the Catholic Church, along with sponsor(s) and clergy who officiated. The name on the baptismal register should match the name on the birth certificate. **For women, their maiden name is always used for the baptism entry as well as all other sacramental registers.** If there has been a legal name change an original, certified court document must be presented. See C.6. for specific instructions for this type of entry. If the parish has a separate register for professions of faith, this information can be recorded in it as well as in the baptism register.
- d. If the candidate is married, record information re: name of spouse, date and place of wedding in the appropriate section of record under comments.
- e. In the case of adults who have been received into full communion and have children below the age of seven who have been validly baptized in another denomination, the children are presumed to enter the Church through the reception of their parent(s). Information regarding their baptismal data must be noted in the baptismal register - along with the note “received into the Church with (parent name) on (given date)”. This record will function as proof that they are Catholic. They must be issued a certificate with an explanation to the parents that this is the certificate to be presented when a baptismal certificate is requested in the future.
- f. In the case of adults who have been received into full communion and have children over the age of seven but under the age of fourteen who have been validly baptized in another denomination, the children may enter the Church along with the reception of their parent(s) but they must make their own profession of faith. Information regarding their baptismal data must be noted in the baptismal register - along with the date of reception in the Catholic Church, name(s) of sponsor(s) and clergy who officiated. They must be issued a certificate with an explanation to the parents that this is the certificate to be presented when a baptismal certificate is requested in the future.
- g. Children over the age of fourteen are treated as any other adult.
- h. Orthodox Christians who are received into full communion with the Catholic Church are ascribed to the corresponding Eastern Catholic Church. They may transfer to the Latin Church (see Section XII. Transfer of Church *sui iuris*). They are given separate catechesis based on their knowledge of Orthodox beliefs and

Catholic beliefs. They are received by making a profession of faith to the priest privately. It is not appropriate to have them participate in RCIA or the rituals associated with it. Call the Secretariat for Canonical Services to receive assistance with these situations.

- i. The Church *sui iuris* to which the person is ascribed must be noted in the record.
4. An individual's baptismal record maintains his/her canonical status in the Church. All Catholics must have an entry in a baptismal register. The following information changes an individual's canonical status and must be added to the baptismal record.
- a. Date and place (church name, city, state) of confirmation must be placed on record when it is received from church where the person was confirmed.
 - b. Name of spouse, date of marriage, church, city, state where marriage took place; information on any dispensation must be included.
 - c. Information on ordination to diaconate or presbyterate including date, place, diocese or religious order of incardination is to be noted.
 - d. Information on solemn vows in a religious community regarding date, place and religious order is to be noted.
 - e. Information regarding annulments of any valid marriage (case number, date, Tribunal) along with any prohibition or warning is to be recorded.
 - f. Transfers to different Churches *sui iuris*.
5. Transfers between Churches *sui iuris*

If a woman belonging to an Eastern Church *sui iuris* marries a man belonging to the Latin Church, she may transfer to the Latin Church by virtue of marriage. When the wife indicates she desires to transfer to her husband's Church, a notation must be made in the marriage record. Notice must also be sent to the woman's church of baptism. **An Eastern wife may transfer to the Latin Church by virtue of marriage. Eastern law does not allow an Eastern husband to transfer to the Latin Church, but Latin law allows a Latin husband to transfer to an Eastern Church by virtue of marriage.**

In cases other than transferring by marriage, if a subject of an Eastern Church *sui iuris* desires to transfer to the Latin Church, he/she must submit a request to transfer. There are some record-keeping considerations when a Catholic belonging to an Eastern Church *sui iuris* (e.g. Byzantine-Ruthenian, Maronite, etc.) transfers to the Latin Church.

- a. Once the appropriate permissions from both the Eastern and Latin Bishops have been received, a rescript is issued by the diocesan bishop through the Secretariat for Canonical Services indicating that the transfer to another Church *sui iuris* will take place once certain conditions have been met.
- b. These conditions are: the petitioner must publicly declare his/her intention to

assume membership in the new Church *sui iuris*. The party must make this declaration before the pastor, associate pastor, or a priest delegated by either of them, or the diocesan bishop or the bishop's delegate from the Secretariat for Canonical Services. The declaration must be made before two witnesses and within the jurisdiction of the person receiving the declaration. To be valid, this declaration must be made within six months of the date of the rescript.

- c. After the priest receives the declaration from the individual, he must note in the baptismal records of the Latin parish that the individual has transferred to the Latin Church. The complete name of the person, the place and date of the baptism, the names of the godparents, the names of the witnesses to the declaration, and the priest who received the declaration, and the date the party made the public declaration must be noted in the records.
- d. Notice of the transfer with pertinent information must be sent to the church of baptism directly or through the Secretariat for Canonical Services.
- e. If such a notice of transfer is received, the date and place of transfer along with the rescript number should be noted on the party's baptismal record. The priest must inform the sender of the notice that the information has been added to the person's baptismal record.

6. Information regarding an adoption

- a. Occasionally, a parish will receive information or be informed that an adoption has taken place or paternity has been established and a request that surnames and parents' names be changed. Before the parish adds information (and suppresses the original name, parents' name), **it is essential that the parish see valid documentation**. Information cannot be added or removed from records on the basis of on an oral request, or even an written request which is not supported by legal documents.
- b. The proof needed would be a court statement stating that the guardians have received permanent custody of the child; a court statement (usually one or two pages) indicating that the adoption has been completed or finalized; or a new birth certificate issued by state.
- c. To add information regarding an adoption once the appropriate documents have been received:
 - i. Add the new name to appropriate part of the index along with the page number of the original record. Do not cross out or otherwise obliterate the original index entry.
 - ii. On the original record – place parentheses around the original surname (e.g. Black is changed to Brown) and, if applicable, around the original first name (e.g. James is changed to Thomas) – place parentheses around the original parent(s)' name(s) and write the adoptive name above it (e.g.

parentheses are placed around James Black's name and Thomas Brown is written above it).

- iii. In comments column--note date of adoption and court and jurisdiction which sanctioned it along with case number (usually found on top corner of court document).
 - iv. If the adoptive parents do not want to have the godparents' names reported, we cannot remove or replace them because the baptismal record is a historic record documenting the fact of baptism and the godparents were the witnesses of that baptism. The parents can designate others to serve in the role of the godparents, but they are not recorded in the register.
- d. To issue the baptismal record after a legal adoption, use the following format: On a piece of parish stationery, write the following, adapting as necessary for the circumstances:

To Whom It May Concern:

Thomas Brown, the son of John Brown and Katherine (née) Kelly, was born on 12 October 1990 in Stow, Ohio and baptized on 3 January 1991 in St. John Church, Stow by Fr. Smith. Thomas Brown was confirmed on 8 May 2001 in St. Ann Church, Munroe Falls.

Given this day Pastor's Signature and Name

+ Parish Seal

7. Name Changes

One occasionally encounters a situation where the baptized individual has legally changed his or her given name/surname and requests that this information be added to the baptismal and/or other sacramental records.

It is permissible to do this provided that the party brings the original certified court document from the Probate Court indicating that the name change has been granted. An entry for the new name would be made in the register along with the page number of the original entry. The new name would be added to the record with parentheses placed around the original name. A notation regarding the date of the change and the appropriate Probate Court docket/case number noted. Place the name in the index.

When the record is issued, it would be issued under the new name, but a notation on the reverse side should indicate that there was a name change.

8. Issuing a Record:

- a. Indicating notations or lack thereof: It is required to note on a baptismal record, those notations from the remarks column that indicate information regarding the canonical status of the person, such as confirmation, matrimonial status, reception of

orders, etc. Some indication such as “No notations” written on the reverse side or a line drawn through the each notation field must be done to show that the record has no other information on it. **Leaving the reverse side blank is not sufficient.**

- b. An official parish seal that leaves a raised imprint must be used over the signature of the person signing the record when a certificate is issued.
- c. Letter format of baptismal records: Instead of using a standard certificate, one may use a letter format that will attest only to name, date of birth, date of baptism, and celebrant along with the appropriate sacramental notations, if there are some sensitivities around identifying parents, godparents, etc.

9. Conditional baptism

In some cases an individual does not recall if he/she was validly baptized and/or the fact of valid baptism cannot be proven by witnesses. Under these circumstances, it would be appropriate to baptize conditionally. Conditional baptism is conducted in a private ceremony after a complete explanation is provided to the individual or, in the case of a child, to the parents. The entry in the baptismal register is the same as described in section C.1. A note explaining the conditional nature of the baptism must be added to the notation section of the record.

10. Unlocatable baptism records

In some cases, a Catholic can prove through witnesses that he/she was baptized, but no record can be located or the church of baptism is not known. Since an individual’s canonical status is maintained in his/her baptismal record, every person must have a record which may be referenced to record events noted above. A diligent search must be conducted to locate or determine the church of baptism. The Archives must be called upon for assistance. If the search is unsuccessful, a baptismal record must be created. The Secretariat for Canonical Services will provide directions for establishing the record.

D. First Communion Records

1. Keeping a First Communion register is not required by canon law but has been the custom for the Diocese of Cleveland.

2. The record included the name and date of reception into the Catholic Church (by baptism or profession of faith, church name and location), and parent’s names. Note that the ‘baptism’ information is that which pertains to Catholic baptism or reception into the Catholic Church. Before receiving First Communion, a record showing reception into the Latin Catholic Church by baptism or profession of faith must be provided. If the person does not have such a document, it is necessary to ascertain how they were received into the Latin Church. If the child was baptized in an Eastern Church *sui iuris*, they are likely to have received communion at that time (even if there is no record for it separate from the baptism), and such a child would not be entered into the sacramental register of a Latin Church.

3. First Communion information is not to be annotated in the baptismal register nor should it be sent to the church of baptism.

E. Confirmation Records

1. Canonical requirements for recording of confirmation are the name of the confirmand, the date of reception; name(s) of sponsor(s); and the name of the confirming bishop (or priest, where applicable).

2. The confirmation name is not required but is usually included.

3. Date and place of baptism (church name and location) is very helpful. Note that the baptism information is that which pertains to baptism or reception into the Catholic Church. Before being confirmed, a record showing reception into the Latin Catholic Church by baptism or profession of faith must be provided. If the person does not have such a document, it is necessary to ascertain how they were received into the Latin Church. If the child was baptized in an Eastern Church *sui iuris*, they are likely to have been chrismated (i.e. confirmed) at that time and cannot be confirmed again.

4. Notification of confirmation. Information pertaining to the confirmation including the child's name, date of confirmation, name and location of church where the sacrament is received must be forwarded to church of baptism for annotation of their record. The Church in which the person was baptized or made a profession of faith must be notified of confirmation.

5. When confirmation is celebrated in one parish for the confirmandi of several parishes, the parish of celebration that is responsible for recording confirmation. See B9.

F. Marriage Records

1. Canonical requirements - The record must include:

a. The complete names of both parties who marry;

b. Date of marriage;

c. Complete names of witnesses;

d. Name of official church witness (bishop, priest, deacon);

e. Information re: date of dispensations or permissions (dispensation or permission number, and the name of the Diocese granting that dispensation or permission), church name and location of baptism/profession of faith for the Catholic parties in the marriage; the indication as to baptismal status of non-Catholic party, and the proper delegation of the cleric, if applicable;

f. Some register formats also provide space for the names of the parents of the couple who are marrying.

2. A notice of marriage must be sent to the church(es) of baptism/profession of faith of the Catholic spouse(s). This notice includes the full names of the couple, the date and place of the marriage (church name and location), and the pertinent date of baptism/profession of faith. Once

the annotation is made, the church of baptism/profession of faith should return this card to the church where the marriage took place. This notification is retained in the pre-nuptial file of the couple.

3. Marriage Pre-Nuptial Files

In the Diocese of Cleveland, records and forms regarding marriage information, dispensations and sacramental records are maintained in the pre-nuptial files. Affidavits (if needed) regarding freedom to marry should be maintained. If this is a second or subsequent marriage, documentation regarding the invalidity or dissolution of the prior marriage, and death certificates of prior spouses must be included in the pre-nuptial file. Return notifications from the churches of baptism/profession of faith are also placed in these files.

It is never permissible to allow these files to leave the parish. If they should be needed by the Secretariat for Canonical Services, you will receive an official request. If they are needed by the Tribunal, the parish will receive a request directly from the Tribunal. The parish will receive two copies of the request letter. One copy is to be returned with the file to the Tribunal. The other copy is to be retained in the parish files so location of the pre-nuptial is verified. Under no circumstances are these files to be released to other parishes, individuals, or the parties to the marriage.

4. Marriages from newly-formed parishes lacking a church building or of parishes where the church building is temporarily not usable:

A record-keeping exception exists for newly-formed parishes without a church building or parishes where the church building is not usable, e.g., being remodeled, damaged, etc. (hereafter “originating parish”). The pastor of the originating parish is responsible for the marriage records of his parishioners which take place in other Catholic churches before the church is constructed or when the church is not usable. Records are kept at the originating parish.

The territorial parish in which these marriages occur will keep a simple listing of these weddings in their parish marriage register, recording only the names of the couple, the date of marriage, and the names of the priest or deacon who performed the ceremony. Additionally, a notation that the complete marriage file and record is available in the marriage register of the originating parish is placed in the “remarks” column of the marriage register of the territorial parish.

Note: The pastor of the originating parish must still obtain delegation from the territorial pastor for marriages of his parishioners taking place in these other Catholic churches.

G. Death Records

1. Canonical requirements are vague. The canons make reference to the name of person and date (presumably this is the date of church service).
2. Not required but helpful - actual date of death; place of burial (cemetery, location)

XIV. SPECIAL CASES REGARDING BAPTISM

I. Emergency Baptism

When baptism occurs in an emergency situation, either at home or in an institution such as a hospital, the fact of the baptism is to be recorded in the register of the territorial parish in which the baptism took place (c. 877). Notification is sent to the parish of the parents of the baptized (in the case of infant baptism) or the parish in which the individual resides (in case of adult baptism), and a notation of this parish is made in the record. The territorial parish where the emergency baptism occurred does not issue a certificate nor does it maintain the canonical status of the person.

Upon receiving this notification, the parish of the parents or the individual is to make an entry as outlined for ordinary baptism with a clear notation of the territorial parish in which the sacrament was conferred. If rites are supplied at the parish, the date of the completion of the celebration and the words “rites supplied” are to be listed in the notations column. After making the proper entry into the baptismal register, this parish is to provide a baptismal certificate to the parents or individual. All subsequent required notations (confirmation, marriage, etc.) are to be made to this record. All subsequent requests for a current baptismal certificate are to come from this parish.

II. Single Parents

The name of the mother is to be entered in the register if there is public proof of her maternity (e.g., the birth certificate), or if she states this in writing or before two witnesses (c. 877).

The name of the father is to be inserted only if there is public proof (e.g., the birth certificate), or by his own sworn declaration before the pastor and two witnesses.

If no public proof is available, the name of the father or the mother is not recorded and the phrase “father unknown” or “mother unknown” is to be placed in the record. In these cases, supporting documentation is to be kept in the permanent files of the parish archives and include appropriate cross-references.

III. Guidelines regarding presentation by parties other than married, male/female adoptive parents

Occasionally, parties present a child for baptism, but are not a married, male/female couple. The child may have been adopted by a “second parent” (adoption of a child by a second parent in the home who is not married to the legal parent of the child). The second parent could be another adult, such as a brother, sister, aunt, uncle, etc. who cares for the child together with the otherwise ‘single parent.’ More recently, the second parent could be alternatively a person who is in a same-sex relationship with the legal parent.

The following information is a review of the canonical and pastoral aspects of such situations, as well as directions for handling baptisms under such circumstances.

1. Canon law regarding baptism:

For an infant to be baptized licitly, the parents, or at least one of them, or the person who legitimately takes their place, must consent to the baptism. There must be a founded hope that the child will be raised according to the Catholic faith, and only if such hope is entirely lacking is the baptism to be delayed (c. 868).

Children who have been adopted according to the norm of civil law are considered the children of the person or persons who adopted them (c. 110).

2. Civil law regarding adopted children:

Ohio:

In Ohio, the law (specifically Ohio Revised Code §3107.03) allows the following persons to adopt:

- A married couple together (including “same-sex marriage”), provided at least one of them is an adult;
- An unmarried adult;
- The unmarried minor parent of the person to be adopted;
- A married adult without his or her spouse joining as a petitioner if any of the following apply:
 - The petitioner’s spouse is already a parent of the person to be adopted and supports the adoption;
 - The petitioner and his or her spouse are legally separated in Ohio;
 - A court finds that the failure of the petitioner’s spouse to join in the adoption petition is due to a prolonged unexplained absence, unavailability, incapacity, or circumstances that make it impossible or unreasonably difficult to obtain either the support or refusal of the spouse .

Other states:

Adoption laws in other states vary widely. For example, some states may simply require an adoptive parents to be 18 while others require them to be older. Some states require a minimum age gap between the adoptive parents and the child being adopted. Different states can have different rules regarding whether a married person can adopt singly without their spouses consent. Some states have certain residency requirements in order to be eligible to adopt. Some states allow for second-parent adoptions, which allows a person (typically a step parent) to adopt a child as a “second parent” without effecting the existing rights of the “first parent.”

3. Same-sex couples or second-parent adoptions presenting a child for baptism:

If a child is presented for baptism by adults who are not the natural parents, a certified copy of a court document that names the party or parties as the child's adoptive parents must be presented. The priest/deacon must make a copy of the document, indicating that they have seen the original, certified document. The normal canonical requirements for allowing baptism must be followed (c. 868). Care must be taken to adapt the baptismal liturgy to the circumstances.

The recording of baptismal information is to be done according to the instructions in section C-5. In addition, when recording the names of the adoptive parents, when neither party is a natural parent, it is to be noted that "X and Y are recognized under civil law as the adoptive parents." If one parent is the natural parent and the other parent is an adoptive parent, it is to be noted that "Y is recognized under civil law as the adoptive parent."

The USCCB complementary norm states that baptismal certificates issued after a finalized adoption should mention only the names of the adoptive parents, omitting any mention of the fact of the adoption. Strict observance of this norm is not possible in the case of same-sex adoptive parents, since the fact of adoption cannot be concealed. When issuing a baptismal certificate for cases where both adoptive parents are of the same sex, the certificate is to read that the child is "in the adoptive care of X and Y" in place of the "child of X and Y." If one parent is the natural parent and the other is an adoptive parent, the certificate is to read "the child of X, who is also in the adoptive care of Y."

4. Baptism when there is danger of death:

With respect to any situation in which a child is presented for baptism, it must always be remembered that any child is baptized licitly when there is an imminent danger of death (c. 868 §2).

5. Baptism is not prohibited during the season of Lent.

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Baptismal

	NO.	NAME OF PERSON BAPTIZED	PLACE AND DATE OF BIRTH	DATE OF BAPTISM	FATHER'S NAME MOTHER'S MAIDEN NAME
1	25	JOHNSON Ronald Michael	Cleveland, OH 18 Dec 1969	5 Jan 1970 Ascribed to the Latin Church	Jerry Johnson Cheryl Watson
2,3	26	(KASS) Catherine Ann	Cleveland, OH 27 Nov 1969	9 Jan 1970 Ascribed to the Latin Church	_____ Margaret Kass
6	27	KIESWETTER Linda Mary Marie	Mayfield Hts., OH 3 Sep 1960	15 Jan 1970 Ascribed to the Latin Church	Daniel Kieswetter Christine Larson
8	28	FLAYHAN Jeannie Marie	Cleveland, OH 2 Feb 1969	16 Jan 1970 Ascribed to the Maronite Church	Paul Flayhan (Maronite) Jean French
11	29	CHRISTOPHERSON Katie Anne	Milwaukee, WI 2 Mar 1942	5 Apr 1942 First Baptist, Cuyahoga Falls	(guardians) John Christopherson Helen Burnet
13	30	STEVENS Robert Anthony	Mayfield Hts., OH 2 Jul 1965	21 Jan 1970 Ascribed to the Latin Church	Daniel Pompei Renee Stevens
17	27 cont.	KIESWETTER			
	27 cont.	" "			

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Baptismal

	NO.	NAME OF PERSON BAPTIZED	PLACE AND DATE OF BIRTH	DATE OF BAPTISM	FATHER'S NAME MOTHER'S MAIDEN NAME
21	61	MCDONALD Catherine Ann	Cleveland, OH 27 Nov 1969	9 Jan 1970 Ascribed to the Latin Church	Robert McDonald Jedwiga Kryzewiec
	61 cont.	" "			

Note: While it is not reflected in the above samples, it is encouraged when making entries to skip a full entry line to allow adequate space for future notations

- 1 Standard entry
- 2 Parentheses added for name change
- 3 Unmarried parents, no father noted without attestation and documentation
- 4 Major change, direct to new entry
- 5 Confidential data, warning not to include on certificates
- 6 Correction of clerical error by strike through
- 7 Sacramental record file holds related documentation
- 8 Christian witness as godparent
- 9 Ascription to Eastern Church *sui iuris*
- 10 Transfer to Latin Church by wife at time of marriage
- 11 Date of Baptism is the valid, non-Catholic baptism
- 12 Reception into Full Communion, notation of baptism and existing marriage
- 13 Unmarried parents, father attested and documented

Register				43
SPONSORS	PRIEST / DEACON	DATE AND PLACE OF CONFIRMATION	NOTATIONS / REMARKS	
Denk Mantel Anita Marabelli	Deacon Joe Organix	13 Apr 1986 St. Raymond, Cleveland	Married Gabriela Mayes 28 Jun 1977 at St. Kevin, Peters Twp, PA.	
John Paul Kass Josephine Kass	Rev. Mark Eckman		DO NOT ISSUE CERTIFICATE FROM THIS RECORD (see McDonald, pg. 45)	4,5
Brock Larson Lisa Larson	Rev. Mark Eckman	12 Jan 1987 St. Raymond, Cleveland	Conditional baptism due to attempted baptism by grandmother Agnes Kieswetter at home, May 1961. Entry continued this page below.	7
Steve Flayhan Stacy Flayhan (Christian witness)	Deacon Joe Organix	13 Apr 1986 St. Raymond, Cleveland	Married David Johnson 6 Apr 2004, elected to transfer ascription to Latin Church.	9,10
(none noted)	Rev. Mark Eckman	21 Jan 1970 St. Raymond, Cleveland	Received into full communion 21 Jan 1970. Married 28 Jun 1966 to Bob Jones.	12
Justin Pompei Dana Stevens (proxy: Lou Stevens)	Rev. Mark Eckman		(CONFIDENTIAL, DO NOT INCLUDE ON CERTIFICATE: parents unmarried, father attested paternity)	14,15, 16
			Married 3 Sep 1980 to Richard O'Malley, St. Raymond, Cleveland. Declared invalid 15 Jan 1986 Cleveland # 0243-1985. Married 1 Sep 1988 to	18,19 20
			Peter David at First United Methodist, Cleveland, OH (records at Nativity BVM, Cleveland, OH).	

Register				45
SPONSORS	PRIEST / DEACON	DATE AND PLACE OF CONFIRMATION	NOTATIONS / REMARKS	
(SEE NOTATION) John Paul Kass Josephine Kass	Rev. Mark Eckman	29 Apr 1986 St. Raymond, Cleveland	See Kass, pg. 43; legally adopted and name changed 2 Feb 1972, Cuyahoga Co.; NO MENTION OF ADOPTION OR SPONSORS IS TO BE MADE ON CERTIFICATES. Married 17 Jun 1993 to Henry Johnson at St. Noel, Newbury, OH, 17 Jun 1997. Sanated 17 Jun 1997, Diocese of Cleveland #03/97.	22,23
				24

- 14 Proxy godparent
- 15 Sacramental records file holds related documentation
- 16 Confidential data, warning not to include on certificates
- 17 Added rows for long entry
- 18 Notation of declaration of invalidity (annulment)
- 19 Tribunal protocol number
- 20 Notation of marriage at another location
- 21 New entry due to major changes of older entry
- 22 Cross reference of entry
- 23 Sacramental records file holds related documentation
- 24 Sanation of marriage

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Baptismal

NO.	NAME OF PERSON BAPTIZED	PLACE AND DATE OF BIRTH	DATE OF BAPTISM	FATHER'S NAME MOTHER'S MAIDEN NAME
34	Laur Mason John	Bedford, OH 18 Dec 1969	25 Jan 1970 Ascribed to the Latin Church	Brian Laur Jennifer Barnes
35	Draves Nicholas Michael	Cleveland, OH 2 Oct 1967	15 Oct 1967 St. Nicholas Ukrainian. Orth. Cleveland, OH	Michael Draves
35 cont.				
36	PIRATEFANN Ida Penelope	Mayfield Hts., OH 2 Feb 2002	2 Feb 2022 Ascribed to the Latin Church	Adam Piratefann Eve Stealersick
37	GNEWUCH Patrick John	Cleveland, OH 5 May 1969	26 Jan 1970 Ascribed to the Latin Church	Jay Gnewuch Sabina Povich
38	NEUMANN Rhett James	Cleveland, OH 3 Jun 1969	27 Jan 1970 Ascribed to the Latin Church	David Neumann Elaine Ronkowvitz
39	MILLER Paul Daniel	Cleveland, OH 8 Aug 1969	27 Jan 1970 Ascribed to the Latin Church	Pat Miller Daphnie Stevens
40	ERICKSON Lois Ann	Mayfield Hts., OH 7 Jul 1968	28 Jan 1970 Ascribed to the Latin Church	John Erickson Rosalita Jimenez
41	JOHNSON Elaine Ann	St. Louis, MO 9 Mar 1948	9 Sep 1948 St. Paul Episcopal, St. Louis, MO	Joe Johnson Mary Anne Clifton
41 cont.				
42	JOHNSON Kimberlee Marie	Cleveland, OH 21 Apr 1965	11 Dec 1965 First Episcopal Cleveland, OH	Thomas Goldberg Elaine Johnson
43	GRAY Earl Mark	Cleveland, OH 11 Nov 1969	31 May 1970 Ascribed to the Latin Church	Michael Gray Jasmine Bond

Note: While it is not reflected in the above samples, it is encouraged when making entries to skip a full entry line to allow adequate space for future notations

- 25 Ascription to Latin Church
- 26 Sacramental records file holds related documentation
- 27 Baptism in danger of death, rite of bringing a baptized child to the church
- 28 Ascription to Eastern Church *sui iuris* at time of marriage
- 29 Adoption before baptism
- 30 Reception into full communion, notation of existing marriage.
- 31 Baptized child (infant) received into full communion by parent's Profession of Faith
- 32 Ordination
- 33 Dispensation from the obligations of the clerical state ('laicization')

Register

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SPONSORS	PRIEST / DEACON	DATE AND PLACE OF CONFIRMATION	NOTATIONS / REMARKS	
Tom Hay Kathy Hay	Rev. Mark Eckman	14 Apr 1985 Ss. Perpetua and Felicity, Northfield		
Roman Kozak Maria Kozak	Rev. Constantine Sevchuk	15 Oct 1967 St. Nicholas Ukrain. Orth. Cleveland, OH	Legally adopted 12 Dec 1969, Cuyahoga Co., ascribed to the Latin Church; NO MENTION OF ADOPTION IS TO BE MADE ON CERTIFICATES.	25,26
Abraham Gopens Sarah Gopens	Rev. John Burgher, Chaplain	2 Feb 2002 Mercy Hospital, Cleveland	Baptized in danger of death; ceremonies supplied 2 Apr 2022 by Rev. Solanus Gottschalk.	27
Tim O'Keefe Amanda O'Keefe	Rev. Solanus Gottschalk			
Steve O'Toole Claire Neumann	Deacon Joe Organix	4 Apr 1986 St. Raymond, Cleveland	Married 6 Jun 1993 to Gladys Miller (Ukrainian Catholic), elected to transfer ascription to Ukrainian Church.	28
Tony Mack Stacy Mack	Rev. Solanus Gottschalk	4 Apr 1986 St. Raymond, Cleveland		
Jim Erickson Rosario Jimenez- Erickson	Rev. Solanus Gottschalk	4 Apr 1986 St. Raymond, Cleveland	Adopted 20 Dec 1969, NO MENTION OF ADOPTION IS TO BE MADE ON CERTIFICATES.	29
Tony Johnson Kathleen Johnson	Rev. Solanus Gottschalk	15 Apr 1970 St. Raymond, Cleveland	Received into full communion, 15 Apr 1970. Married Thomas Goldberg 24 Jul 1974.	30
George Smith Carrie Smith	Rev. Solanus Gottschalk	4 Apr 1986 St. Raymond, Cleveland	Received into full communion, 15 Apr 1970 by her mother's Profession of Faith.	31
Harry Smith Sally Smith	Deacon Joe Organix	4 Apr 1986 St. Raymond, Cleveland	Ordained deacon, Diocese of Cleveland, 21 October 1994. Ordained priest, Diocese of Cleveland, 13 Jun 1995. Dispensation from the obligations of sacred ordination including celibacy, 9 Jul 2021, Congregation for Clergy Prot #2021-01, notified 10 Aug 2021.	32,33