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

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

WHAT IS A DECLARATION OF
INVALIDITY?

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

WHAT IS A TRIBUNAL?

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

IS A DECLARATION OF
INVALIDITY A “CATHOLIC
DIVORCE”?

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

WHO MAY APPLY FOR A
DECLARATION OF
INVALIDITY?

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

HOW LONG DOES THE
PROCESS TAKE?

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

IS EVERY CASE PROCESSED IN
THE SAME MANNER?

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

Tribunal Officers

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

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

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

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

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

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

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

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

Reverend Richard Bona, JCL
Auditor

Mrs. Kate E. Fiala
Auditor

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

Mrs. Amy E. Riggle
Auditor

Reverend Adam A. Zajac, M.A.
Auditor
WHAT DOES THIS PROCESS COST?

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

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

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

MUST THE TRIBUNAL CONTACT MY DIVORCED SPOUSE?

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

HOW DO I START A CASE?

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

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

4/1/2015

Common Questions Regarding Divorce and Remarriage in the Catholic Church

WHAT IS THE TEACHING OF THE CATHOLIC CHURCH ON MARRIAGE?

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

IS A DIVORCED CATHOLIC PERMITTED TO RECEIVE THE SACRAMENTS?

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

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

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