



CATHOLIC DIOCESE OF PITTSBURGH

Frequently Asked Questions about the Tribunal Process

What is an annulment?

A church annulment, properly known as a “declaration of nullity” is a finding by a church court that a marriage entered in good faith was lacking an essential element that the Church requires for a sacramental or spiritual bond. Often when a marriage ends in divorce it turns out that there was an issue from the very beginning that prevented the couple from living out the obligations of marriage that are part of the teachings of the Church.

For what reasons is an annulment necessary after a divorce?

In Matthew 19:1-9, Jesus teaches that “what God has joined together, no human being must separate.” Because Jesus’ words on marriage are clear, divorced Catholics who wish to remarry require an official finding that the first marriage was not spiritually binding. Divorced Catholics who remarry without first receiving an annulment, should not receive the sacraments or hold leadership positions in the Church. Neither can they become godparents or confirmation sponsors. They should participate in the life of the Church by attending Mass, especially on Sundays, but an annulment opens the door to marriage in the Church and full participation in Catholic sacramental life.

Who needs to petition for an annulment?

Anyone who has been previously married and divorced and now wishes to marry in the Catholic Church, or to have a current civil marriage recognized by the Church, must petition for a declaration of nullity. This includes non-Catholics seeking to marry a Catholic and those seeking to become part of the Catholic Church.

For what reasons can an annulment be granted?

Often when a marriage ends in divorce it turns out that there may have been an issue from the very beginning that prevented one or both spouses from entering into a spiritually binding union.

Marriage must be freely entered into, with no deception, coercion or fear driving either party and both spouses must have the intention to enter a permanent, faithful union that is open to the possibility of children. In the Catholic Church, marriage is understood to be a community of life for a man and a woman, for their mutual, interpersonal growth and for the procreation and education of children. Each spouse must have the basic physical, emotional, and psychological ability to understand the intentions and meaning of marriage and to intend to fulfill them.

For all marriages, this validity is presumed. The Catholic Church cannot end a valid marriage bond between two baptized persons. However, if one of the spouses requests it, the Church can examine the presumed valid marriage to see whether something prevented a true bond. That examination is what happens in the annulment process.

How long does it take the Diocese of Pittsburgh to process a petition for annulment?

The average time from acceptance of a petition to a final decision is approximately 10 months. However, this time frame varies greatly according to the complexity of the case and other circumstances.

Does an annulment make the children illegitimate?

No. The Church has always taught that all life is a gift from God. A declaration of nullity means that the spiritual bond of marriage never existed between spouses. It does not mean that there was never any marital relationship. Even if a declaration of nullity is granted it never negates parenthood nor its responsibilities, both parents should make every effort to cooperate in loving and supporting their children after a divorce and if applicable, a declaration of nullity.

How can you say there was no marriage when the couple has children?

An annulment doesn't mean that there was no marital relationship. It means that something prevented the marriage bond from being spiritually binding.

If a couple meant to have a good Catholic marriage, how could their vows not be sacramentally valid?

Good intentions are important, but the couple also needs to have an ability to live out those essential obligations of marriage when they wed. A lack of ability for marriage may occur if one or both parties had a psychological or neurological condition that prevented them from living up to their intentions. A declaration of nullity does not seek to determine guilt for the failure of the marriage but acknowledges that the failure of that marriage had deep roots. An annulment allows both parties to move forward with their lives in full relationship with Christ and his Church.

If someone's first marriage wasn't in the Catholic Church, is an annulment petition still necessary?

Yes, because the Catholic Church respects the validity of all marriages between a man and a woman, not just Catholic marriages.

Does a divorce bar a Catholic from the Eucharist?

No, divorce alone does not prohibit one from receiving the Eucharist. However, if a person remarries without an annulment, that person should not receive the sacraments or hold leadership roles in the Catholic Church.

What is a tribunal?

A Tribunal is the Church court for a local Catholic diocese. It adjudicates internal Church legal matters, including petitions for declarations of nullity of marriage. The parties are typically interviewed, but all hearings are closed to the public and strictly confidential. The results of the marriage investigation are made available for review to only the parties involved in the petition. Tribunal records are never made open to the public. The judges in the Pittsburgh Tribunal include priests and lay Catholics, both women and men.

Are all of the judges Catholic priests?

No. Lay women and men also serve as judges. Any judge, lay or priest, must have a university degree in canon law. A lay judge is involved in about one-third of the cases here. All judges are held to strict confidentiality.

What costs have been waived by the Diocese of Pittsburgh?

The Diocese of Pittsburgh has eliminated all fees that were incurred in the normal processing of a case. This fee could range up to several hundred dollars. However, now all fees have been eliminated except if one of the spouses chooses to file a formal appeal in either the Archdiocese of Philadelphia or in Rome, that cost will not be covered by the Diocese of Pittsburgh.

Who is eligible to petition the tribunal of the Diocese of Pittsburgh?

Only those with a clear tie to the Diocese of Pittsburgh may approach its tribunal. One of the following must apply:

1. The failed marriage in question was celebrated in the Diocese of Pittsburgh.
2. The person seeking the annulment lives in the Diocese of Pittsburgh, provided that his or her former spouse lives in the United States and consent is obtained from the diocese where that former spouse lives.
3. The spouse who did not initiate the petition lives in the Diocese of Pittsburgh;
4. The Pittsburgh tribunal is where most of the testimony will be collected, provided that consent is granted by the diocese of the former spouse who is responding to the petition.

What spiritual and emotional support does the Diocese of Pittsburgh offer to divorced and separated Catholics?

The Diocese and its parishes sponsor a variety of support groups, retreats and conferences for divorced and separated Catholics. A list of current programs and resources is at <http://diopitt.org/office-faith-formation/separated-divorced-support>.

If you have have further questions, please contact the Tribunal at **(412) 456-3033** or at tribunal@diopitt.org.