

Marriage and annulments: continuing the discussion

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In a [previous column](#), I wrote about how Christ's words regarding divorce and remarriage give an ultimate weight to marriage. I wrote how, when a person enters into a sacramental marriage, it is an unbreakable bond. An annulment does not "undo" the sacrament of marriage, but establishes that a sacrament never existed in the first place.

There are certain criteria that need to be present for a covenantal (or sacramental) marriage to exist. Both parties need to enter into the covenant intending faithfulness, with sufficient freedom and maturity, without reservation, and open to life. If it can be established that one or both parties lacked any of these, then these amount to "impediments" to the sacrament existing.



Because the Church is trying to meet people in real life in the midst of their pain, she (the Church) has developed a process to investigate whether any of these impediments existed at the time of the wedding. If it can be reasonably demonstrated that there were significant impediments to the covenant, then the Church may issue a Decree of Nullity.

This doesn't change the past (the Church can't "unbind" what has been bound in matrimony), but it recognizes that no sacrament existed in the first place.

This might seem like a man-made process that God doesn't need. Maybe. But we need it.

Still, since this is a man-made process in the Church of Jesus Christ, there are some concerns and questions that naturally arise within the process.

Before you plan

One thing to be aware of is that a Declaration of Nullity is never guaranteed. Even if you are given the impression that you have a favorable case, it is unwise to begin dating. It is even less wise to make plans to get married before a final ruling is offered.

I have heard people maintain that they could never apply for a Declaration of Nullity because they believe that it costs too much.

In truth, an average cost is roughly \$300 (although some dioceses may charge more).

Virtually all of this money goes toward paying for the materials required to process and investigate the case. This is to say that the Church makes absolutely no money in this process. In fact, the Church loses money with every case that is processed, but she provides this as a service to people who are hurting. If a person is unable to pay for this, I know of cases where someone is able to make payments at a rate they are able to afford with minimal additional burden.

Learn more For more information about marriage and annulments in the local Church, visit the [Archdiocese of St. Paul and Minneapolis' Metropolitan Tribunal](#) .

Sometimes the length of time it takes to process the annulment deters people from applying. There is no guarantee that the process will take a short amount of time. Many factors come into play, such as the clarity of the case or the cooperation of all parties involved.

The process can easily take more than two years. This is because it can take a lot of work to gather all of the necessary information and give the case the attention it deserves.

If a former spouse won't cooperate, the process can still move forward. But the former spouse has to be given the chance to provide information or contest the information that was put forward in other testimonies.

Provision against bias

Some will accuse the process of potentially becoming biased (for example, if the couple is known to someone on the tribunal). [In these instances in the Archdiocese of St. Paul and Minneapolis, the judge will recuse himself, and a substitute will hear the case.] This is the Church's attempt to eliminate any unfair bias.

If the applicant believes that they received an unfair ruling, they are always free to make an appeal. It is not perfect, but again, the Church is doing her best to care for her children.

Speaking of children, receiving a declaration of nullity does not mean that one's children are henceforth considered "illegitimate." A declaration of nullity does nothing to affect the status of one's children. All it means is that there was no sacrament of matrimony.

I've spoken with some people who would ask, "How can I be sure that my marriage is sacramental? Maybe I didn't know enough! There might have been impediments!"

I understand the concern. But please let me set your mind and heart at ease.

The Church assumes that there is a sacrament whenever one goes through the Rite of Matrimony. You can "lean into" your marriage confident that God's grace is present to help you through all trials.

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