



Thirteen Myths about Marriage, Divorce and Annulments in the Catholic Church

Divorce is one of the most significant factors in that drive Catholics away from the Church. But it is not largely for reasons tied to divorce (and remarriage) that one may expect. Most people don't fully understand what the Church really teaches about love, sex, marriage, divorce, annulment, or remarriage. In fact, there are simply too many myths and misunderstandings that can cause frustration, anger, and a profound sense of abandonment from the Church (on top of that from the former spouse).

If you are experiencing this in your life, know that your Church loves you, and is here for you. It is also important for you to get the FACTS about these issues. That's why we've put together this fact sheet to directly address the most common misunderstandings about what the Church teaches on marriage, divorce and annulments. Surprisingly, these misunderstandings are not only common among non-Catholics, but among many Catholics themselves.



MYTH #1: A Divorced Person is Automatically Excommunicated from the Catholic Church

The truth is that divorce itself does not affect or alter a person's status in the Catholic Church. Divorce is a function of the civil law and secular courts. Although it has been a widespread misconception for many years, it is a myth that a

divorced Catholic is “excommunicated”...that is, unable to receive the sacraments or participate in the life of the Church.

MYTH #2: Divorced Catholics Cannot Receive Communion

Similar to the first myth, this too is one of the most common misconceptions about divorce, even among many Catholics. Any Catholic who is divorced, yet still living within the precepts of Church teaching, may receive communion. The issue is not about being divorced *per se*, rather it is when a Catholic divorces, and then *remarries outside of the Church without a prior annulment*. As far as the Church is concerned, that person is still married to their prior spouse, which means the “new” marriage is not valid and thus they are living in an adulterous relationship (which would typically prevent the receiving of Holy Communion). To emphasize God's mercy, Pope Francis has encouraged pastors to evaluate individual cases in their respective parishes, in the interest of nurturing healing, and full restoration to the Church and her sacraments.

MYTH #3: An Annulment Costs Thousands of Dollars

The truth is that no Tribunal anywhere in the world asks for “thousands of dollars,” although the fee requested for an annulment process does vary from one Tribunal to another (and movement toward reducing or eliminating any costs in some diocese is one of the changes being implemented). In the Diocese of Columbus, there are no fees to file for an annulment. In fact no one is ever turned away from any Tribunal because of their inability to pay a fee.

MYTH #4: Only Catholic Marriages Need to be Annulled

The truth is that every marriage is considered a promise for life—a promise until death. It makes no difference whether that promise was made in a Catholic ceremony or not. No one, no matter what their religious affiliation or membership, is considered free to contract another marriage if they were married previously. Every prior marriage must be investigated and annulled before a person can enter a new marriage—especially in the Church.

MYTH #5: If An Annulment is Granted the Children will be Illegitimate

While the antiquated concept of “legitimacy” of children is one of civil law, created to determine inheritance of property (and thus somewhat less relevant today), the truth is that an ecclesiastical annulment is concerned only with the spouses, and not the children. An annulment has no effect at all on the legitimacy, or other issues regarding children, such as custody or support. These are all concerns of the civil law, and an ecclesiastical annulment has absolutely no effects under civil law.

MYTH #6: It Takes Three to Five Years to Get an Annulment

The truth is that every annulment process is different, thus some will require more time and work than others. Few cases ever take more than 18 months from start to finish. Further, among the proposed changes to the process is to “triage” cases as they come in—to separate out and expedite the simpler cases so they are not held up by the more complex ones. Decades ago, it did take several years, but today the longest process is usually finished in nine to eighteen months. Some types of cases can be finished in a month or even less.



MYTH #7:
Anyone who Applies (and Waits Long Enough) Will Get an Annulment

The truth is that Tribunals do give negative decisions—although this is far less frequent. After all, if there isn't a case for one, it is far less likely to “go to court.” The burden of proving a case rests on the Petitioner, that is, the person who applies for an annulment. The Catholic Church presumes that every marriage is a valid union, and there must be sufficient grounds for declaring otherwise. The Tribunal will help the Petitioner to understand what's needed to develop a case, but if there isn't enough proof, the Tribunal will give a negative decision.



MYTH #8:
If Children were Born in the Marriage, It Can't be Annulled

The truth is that the Catholic Church considers an openness to children to be a natural and essential part of sacramental marriage, but whether any children were actually born or not has no bearing on the possibility of an annulment. If children were born, it is important that both parents live up to their natural and legal obligations to their children.

MYTH #9:
The Ex-Spouse Has to Agree to an Annulment Or It Can't Be Granted

The truth is that both spouses have equal rights in an annulment proceeding, but that doesn't mean that the Respondent—the ex-spouse of the person who starts the annulment process—has to agree to an annulment. The truth is that the Tribunal judges can grant an annulment even if the ex-spouse is adamantly opposed to the idea of an annulment.



MYTH #10:
An Annulment is Nothing More than a “Catholic Divorce”

The truth is that civil divorce and a church annulment are two vastly different things. A divorce is concerned with the legal realities of marriage only; an annulment is concerned with the religious and spiritual element—the sacrament of marriage. A divorce focuses on the end of a marriage; an annulment looks at the beginning, the very moment the couple said “I do.” A divorce looks at marriage in civil law; an annulment looks at marriage

from the perspective of the Gospel and of Church doctrine. There is no such thing as a “Catholic divorce.”

MYTH #11:

An Annulment Means the Marriage Never Took Place

The truth is that an annulment can't erase history, nor does it attempt to. An annulment in the Catholic Church deals only with the sacrament of marriage, and not the legal, historical, emotional truth of marriage. An annulment simply states that the sacrament was never present in the marriage—not that the marriage never took place.

MYTH #12:

The Tribunal is Like a Courtroom, With Judges, Witnesses, Lawyers, & Cross-Examinations

The truth is that the Tribunal is a Court of Law for the Church, but it is very different from a civil courtroom. Depending on the type of case, the spouses may have Advocates, and there will be one to three judges, but most of the work is done in writing, with no emotional courtroom scenarios. If a someone appears in person to offer testimony, it is usually done in a private interview, and never with cross-examination.

MYTH #13:

The Idea of An Annulment Is Pure Legalism in the Catholic Church

The truth is that an annulment is “packaged“ in a legal environment, since that is the best way to protect the rights and interests of everyone involved, but it is far more than a legalistic process. People who've gone through an annulment have found peace and insight into themselves and their marriages. Through the Tribunal process, the Church invites divorced men and women to find healing, forgiveness, and new joy.

More Questions?

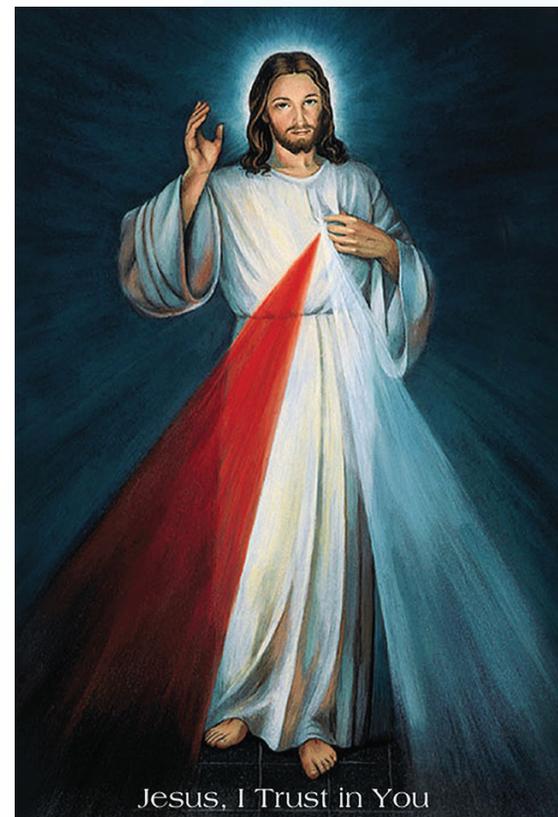
Contact your pastor, or feel free to drop us a note at DivorcedCatholicColumbus.org. Most of all...if you are experiencing marital strife, separation or divorce in your life, you are not alone. Your Church will NEVER abandon you!

Note: Some of the content in this document was adapted from previous documents published by the Dioceses of Baltimore and Salt Lake City.

About Non Solum Columbus...

Non Solum (Latin for “not alone) Columbus is an apostolate and pastoral community of Catholic men and women, lay leaders and clergy dedicated to providing pastoral support, love and practical guidance for fellow Catholics who are experiencing—or have experienced—the trauma of marital separation or divorce.

Learn more at DivorcedCatholicColumbus.org.



Jesus, I Trust in You