

THEN BECAUSE I AM DIVORCED AND REMARRIED WITHOUT A DECLARATION OF INVALIDITY I CANNOT BE A CATHOLIC?

No. Pope Benedict XVI and Pope John Paul II have affirmed many times that Catholics remarried 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 come into being.

WHO MAY APPLY FOR A DECLARATION OF INVALIDITY?

Any divorced person (Catholic or non-Catholic) who seeks possible remarriage in the Catholic Church must have each prior marriage examined by a Tribunal unless a prior marriage ended in death.

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

Bishop Richard G. Lennon, M.A.
Bishop of Cleveland

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

Reverend William M. Jerse, J.C.L.
Adjunct Judicial Vicar

Reverend Charles F. Strebler, J.C.L.,
J.C.D. (cand.)
Adjunct Judicial Vicar

Reverend Robert M. Wendelken,
D.Min.
Judge

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

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

Mr. Carl A. Caldwell, G.C.C.L., M.A.
Defender of the Bond

Deacon Tom Daw
Business Manager, Auditor

Mrs. Terri Shawhan, D. Min.
Auditor

Mrs. Patricia Daw
Auditor

The Tribunal
1404 East 9th Street, 7th Floor
Cleveland, Ohio 44114

216-696-6525, x4000
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www.dioceseofcleveland.org/tribunal,
Tribunal@dioceseofcleveland.org

Your Name:

Address:

Daytime contact telephone number:

Email address:

Comments or questions:

WHAT DOES THIS PROCESS COST?

Court costs in the Diocese of Cleveland range from \$50.00 to \$450.00, depending on the type of case submitted. Individual arrangements can be made regarding the fee. By Church law, no one can be refused application or due process because of real personal financial difficulties.

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

No. Church law states that the status of children is not affected.

MUST THE TRIBUNAL CONTACT MY EX-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.

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.

CAN DIVORCED CATHOLICS 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 remarries 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.