

## Statement Regarding OCIA and Tribunal Marriage Cases

Individuals seeking to enter the Catholic Church, whether the unbaptized or baptized non-Catholics, cannot be fully initiated into the Catholic Church while in an irregular marriage.

It is the policy of the Archdiocese of Cincinnati that during an initial interview with both inquirers (non-baptized persons) and candidates (baptized, non-Catholic Christians), marital status must be clearly determined. This interview should address the complete marital history of the inquirer/candidate, and the marital history of any current spouse. Information is to be gathered about any previous marriage(s) as well as a current marriage, including any divorce(s), dissolution(s), or civil annulment(s), and any declaration(s) of nullity or canonical dissolution(s) granted by Catholic tribunals.

The Catholic Church presumes that a marriage is valid, provided any required canonical form for Catholic or Orthodox persons was observed. For this reason, regardless of the civil status of marriages, the marital history of an individual seeking to enter the Catholic Church must be carefully examined to determine if he or she is in a canonically irregular marriage.

This interview provides an opportunity to explain that the Catholic Church does not accept civil divorce as an end to marriage. For any marriage to be declared null by a tribunal there must be clear proof that an element which the Catholic Church considers to be essential for a valid marriage was missing at time of consent or that the consent was otherwise defective or impeded. **Not every failed marriage can be declared null (i.e., invalid).**

If it is established that an individual is in an irregular marriage, the case should be referred to the pastor or his delegate to determine what tribunal processes may be necessary to regularize the marriage.

### **For the unbaptized:**

The *National Statutes for the Christian Initiation of Adults* state, "While unbaptized persons in irregular marriages can enter the catechumenate, they are not to celebrate the Rite of Election until they are free to enter a canonical marriage" (Norm 7). Therefore, inquirers in irregular marriages are permitted to celebrate the Rite for Entrance into the Catechumenate and participate in that part of the OCIA process, but they cannot celebrate the Rite of Election or continue to the celebration of the Sacraments of Initiation until they are free to enter a canonical marriage.

**For baptized non-Catholics:**

Reception into Full Communion is connected to full participation in Eucharistic communion. One who is received into Full Communion of the Catholic Church must be free to also receive Holy Communion. Therefore, candidates in irregular marriages cannot celebrate the Order of Reception into the Full Communion of the Catholic Church until they are no longer in an irregular marriage.

**Celebration of Canonical Marriage (i.e. Convalidation):**

First, any previous marriage(s) of those seeking to enter the Catholic Church, as well as any prior marriage(s) of the current civil spouse, must be declared null or canonically dissolved. If this is achieved (and any additional requirements established by the tribunal are met and it is determined that no other impediments of law exist) the individual is free to enter a canonical marriage.

If the inquirer's/candidate's civil spouse is Catholic, the couple is to be married according to canonical form (canons 1108-1123). It is important to help the couple understand this is a new marriage, not a renewal of vows. The previous marriage was invalid due to failure to observe the requirements of canonical form. The canonical marriage liturgy may be carried out in a simple fashion, according to the options given in the *Order of Celebrating Matrimony*, ensuring that the couple exchange consent before a priest (or a deacon, if permissible by law, cf. canon 1108 §3) and two witnesses. This should be carried out prior to the non-Catholic party receiving the Sacraments of Initiation.

**Any questions should be directed to the Tribunal (513-263-3393 or 513-263-3396)  
or the Chancery (513-263-3342).**