

MARRIAGE AS A SACRAMENT



POLICY

AND

PLANNING

GUIDELINES

DIOCESE OF GARY

GUIDELINES

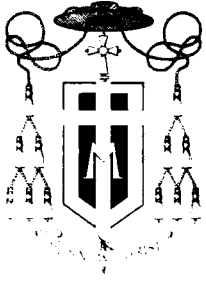
For

MARRIAGE AS A SACRAMENT

Diocese of Gary

Indiana

Promulgated February 2, 1996



DIOCESE OF GARY

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Coadjutor Bishop of Gary

February 2, 1996

Dear Monsignor, Father, Deacon, and All Who Minister to Couples Who Will Receive the Sacrament of Marriage:

We, who minister in the name of Jesus, are challenged by Him to extend ourselves so that men and women preparing for the Sacrament of Marriage will grow in their relationship with the Lord, His Church, and each other. It is important for us to make the precious time of marriage preparation truly grace-filled moments of evangelization for the couples.

Marriage is an ecclesial matter involving a man, a woman, and the faith community. Our role is to help the couple respond to God's call to witness to His unconditional, enduring love for His people and Christ's love for His Church by forming a family which is, in the words of Pope John Paul II, the domestic church.

Throughout the long process of preparing these guidelines which form the marriage policy and preparation expectations for the Diocese of Gary, I have been impressed with the seriousness with which so many approached this work. Priests, deacons, lay men and women spent many hours in research and in meetings developing this policy.

As you minister to the couples who approach you for assistance in preparing for marriage, may you share their joy at these special moments in their lives. May you always have the heart and mind of Jesus. My prayers are with you in this important work.

This document is promulgated on the Feast of the Presentation of Jesus, February 2, 1996.

Sincerely yours in the Lord Jesus,

+Dale J. Melczek

**Most Reverend Dale J. Melczek
Coadjutor Bishop of Gary**

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Guidelines - Diocese of Gary

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INTRODUCTION

Importance and Dignity of the Sacrament of Marriage

When a couple decides to marry, they are beginning a time of joyful anticipation. They have agreed to establish between themselves a partnership for the whole of life. When it occurs between two baptized persons, this partnership has been elevated to the order of a sacrament by Jesus Christ.

Pope John Paul II writes, "By virtue of this sacrament, as spouses fulfill their conjugal and family obligations, they are penetrated with the Spirit of Christ, who fills their whole lives with faith, hope and charity" (*Familiaris Consortio*, 56).

Men and women have a basic right to enter into valid marriages. When they do so under the aegis of the Church, marriage becomes a sacred bond. It is the desire and the responsibility of the Church to assist couples in understanding how serious, special and significant the bond of marriage really is. To help the couples understand the life-long fidelity on which a marriage is based requires careful thought, preparation and prayer.

The following Policies for Marriage Preparation are offered with the hope that we, the Church of the Diocese of Gary, can assist and serve engaged couples in their response to God's call to the married life.

During policy development, we have attempted to be sensitive to the small parish community, which might joyfully celebrate only a few marriages each year, and to larger, urban parishes, where fifty such celebrations occur annually. Our goal for engaged couples is that they, and the entire parish community, find in marriage a "specific source and original means of sanctification" (*Familiaris Consortio*, 56). May they do so with an assurance of peace, happiness and permanence.

Policy and Guidelines Committee: Msgr. Joseph Semancik, chairman, Rev. Martin Dobrzynski, Rev. Richard Emerson, Rev. Joseph Gazarkiewicz, Rev. Francis Lazar, Msgr. Carl Mengeling, and Msgr. John Siekierski

Staffing by Family Life Ministry, Catholic Charities: Rita Mayer, Francis Moynihan, and Barbara Pawlak

I. ROLE AND RESPONSIBILITIES OF PARISH PRIEST & ECCLESIAL COMMUNITY

1. The parish priest has the responsibility of assessing the readiness of those desiring marriage, and, with his own ecclesial community, assisting in the immediate preparation of the engaged couple for the Sacrament of Marriage.

(CF/c. 1063)

2. The parish priest of the church where the wedding takes place has the right to assist at the marriage, the responsibility for the couple's preparation for marriage, and for the assessment of their readiness to enter marriage. This canonical right belongs to the local parish priest even when a visiting clergyman is asked to officiate. *(CF/c. 1070)*

3. Those involved in the immediate preparation of couples for marriage are assured that nothing stands in the way of the valid and licit celebration of any given couple's marriage. *(CF/c. 1066)*

4. The parish priest may delegate to visiting priests and to deacons the faculty to assist at marriages within his territory. *(CF/c. 1111)*

Pastoral Notes:

a) A grave obligation rests upon the parish priest to provide any and all necessary assistance to a couple who is intending to enter into marriage. Such assistance will include a premarriage program. It may also include having the names of the couple(s) in the general intercessions, having the couple(s) meet with married couples in the parish prior to their wedding, and opportunities for psychological counseling and/or professional assistance.

b) All persons have the right to marry. *(CF/c. 1058)* Canon 1066 is a reminder that the right to marry is contingent on fulfilling certain legal prerequisites. The pastor becomes morally certain that nothing stands in the way of a valid and licit celebration before he proceeds with being a witness to the particular marriage.

c) Even if a couple is from another diocese, the parish priest who is performing the marriage and has the right to validly officiate is responsible for seeing that the couple is adequately prepared for marriage. "...within the confines of their territory, the local ordinary and the pastor in virtue of their office, validly assist at the marriages of their subjects as well as of non-subjects provided one of the contractants is of the Latin rite." (C.1109)

A. NOTIFICATION OF THE PASTOR

1. A couple contacts their parish priest as soon as they propose to marry, or at least six months prior to the proposed date of the wedding.
2. A tentative wedding date may be selected during the first session with the parish priest, but the date is not finalized until it is established that the couple is free to marry.

Pastoral Notes:

- a) Couples are encouraged to begin formal marriage preparation with their parish priest as soon as possible after the engagement has been announced. Oftentimes, this can occur almost one year before the anticipated wedding date.
- b) A minimum of six months comprises a preparation time. It is the minimum time necessary for proper personal, spiritual, and liturgical preparation of the couple for marriage. Important elements in the preparation are:
 - Premarital Assessment/Evaluation
 - Formation Sessions
 - Liturgical Preparation
 - Completion of Civil Requirements, e.g. marriage license

B. INITIAL INTERVIEW - WELCOME**1. WELCOME AND BACKGROUND INFORMATION**

The initial interview with the couple requesting marriage is an important time for establishing rapport, and for reviewing and explaining the concerns of the ecclesial community as expressed in these guidelines. It also is a time to determine the eligibility of the engaged couple to marry, according to both the civil law and the canon law of the Catholic Church. Priests cannot witness marriages not recognized by the State.

(See Appendix A for sample questions)

2. EXPLAIN MARRIAGE PREPARATION PROCEDURE/PROCESS

At the first introductory session, a complete explanation of the Marriage Preparation Process is given.

Pastoral Notes:

a) The Marriage Preparation Process is begun by filling out the diocesan premarital documents; briefing about the Instructional/Formational Program in which they will participate; and informing about the Premarital Inventory which they may be asked to complete.

b) It is extremely important that, during the initial stages of this first session with the couple, the priest emphasizes the positive aspects of this policy as an expression of the concern of the Church, given the many problems encountered in marriage today. He stresses that the marriage preparation process is a positive aid to the couple in the exploration of their future marriage. It is also an aid to the priest, as the representative of the Church, in the development of a solid marriage preparation program for this unique couple. In no way is it meant to be "just more red tape" or a hurdle that has to be jumped before the couple is "permitted" to marry in the Church.

c) The parish priest creates an atmosphere in which the engaged couple is motivated to sense the value of preparation and thus can commit themselves to it.

3. ASSESSMENT AND ARRANGEMENTS

At the initial interview, the parish priest assists the couple in beginning to assess their strengths and weaknesses in terms of marriage, and to evaluate their readiness as a couple to marry in the Catholic Church.

a. PRE-MARITAL INQUIRY.

After the priest has thoroughly discussed this diocesan policy, answering the various questions that the couple may have, he initiates the formal marriage preparation process by filling out the diocesan premarital documents:

- Form M-1 * (Premarital Questionnaire);
- Form M-2 * (Witness Form);
- Form M-3 * (if a dispensation or permission is needed);
- Signature of the Catholic party to the Declaration and Promise in an interreligious marriage* ,
- Supplementary Oaths in the case of a premarital pregnancy.

(See Appendix B for Sample Forms*)

(CF/c. 1066) Marriage is celebrated when it is evident that nothing stands in the way of its valid and licit celebration.

(See Appendix C for Impediments to Marriage)

*At the time of this printing, Diocesan Marriage Forms are being revised and combined. A sample form is not available for inclusion in this document.

Pastoral Notes:

a) The Pre-Marital Investigation Form is used not only to uncover impediments to marriage, but also may be used as a springboard for discussion of a couple's attitudes toward marriage, and especially the Sacrament of Marriage.

b) In some cases, the priest may wish to delay filling out some forms until further in the preparation process when the couple is better able to assess the importance and references of the forms. However, the tentative marriage date remains tentative until the forms are completed and it is determined that the couple is free to marry.

b. DOCUMENTATION

Baptismal Certificates/Other Documents. The parish priest obtains a **recent** (no older than six months from date of request) copy of the baptismal certificate(s) of the Catholic party(ies).

Pastoral Notes:

a) The parish priest also indicates what further premarital documents will/may be required: parental affidavits; death certificate of a previous spouse; written permission from pastor of either the bride or the groom, if appropriate; Declaration of Nullity of previous marriage.

b) The parish priest informs the couple about the **requirements of the State**. In order to obtain a marriage license (county clerk's office) in Indiana, the couple is required to have valid driver's licenses or state I/D cards, and a rubella blood test (females under 50 years) entered on a blue Indiana form.

c) These documents, and any necessary dispensations, along with a brief summary of any marriage assessment tool and/or report from a counselor, are kept in an envelope and saved in a permanent file at the parish.

c. WITNESS/INTERVIEW

Goals are to ascertain freedom to marry. *(See Appendix B for sample forms)*

Pastoral Notes:

a) The witness forms are filled out by persons who have known either of the engaged since the party was of marriageable age. Parents can be used.

b) Interviews with the parents, or others who know the couple well, are very effective in cases involving **minors, pregnancy, apparent immaturity, or other difficulties**. Whenever possible, these interviews are extended to such areas as family background, parents' assessment of the readiness of the couple, as well as the couple's motivation to marry.

c) Results of these interviews are retained with the permanent prenuptial file.

d. DATE & PLACE OF MARRIAGE

Date of Marriage. Discussion of a tentative wedding date may take place during the initial contact with the parish priest/deacon; however, the date is not to be finalized until the assessment process has been completed. At the conclusion of the Marriage Preparation Process, a decision to proceed with or delay the planned wedding is made by the priest and the couple.

Pastoral Notes:

The couple is advised that if serious reasons surface, the priest/deacon may delay the wedding until the matter is resolved. If the decision is to proceed, the wedding date is finalized and the Liturgical Preparation for the wedding begun. (CF/c. 1077)

Place of Marriage. The wedding of two Catholics takes place in the parish church of either the bride or groom. For two Catholics to marry in another parish church, it is proper that permission is received from either of the respective parishes. The wedding in which only one of the parties is Catholic takes place in his or her parish church. (See "The Place of the Wedding" in the Liturgy Document, p. 30.)

Pastoral Notes:

a) Since the parish church is the spiritual "home" of the family of God, where the life-giving sacraments are normally celebrated and since the parish is the heart of sacramental life and ministry, weddings in non-sacred places (private homes, gardens, parks, hotels, wedding chapels) are rarely, if ever, allowed.

b) In the case of an interreligious marriage, the bishop may permit the couple to celebrate their wedding in the place of worship of the non-Catholic party when a pastoral reason exists. A dispensation from canonical form is required as it is presumed that the officiant, witnessing consent, is not a Catholic priest or deacon.

c) In cases where a wedding in a Catholic Church would be offensive, the pastor can permit the marriage celebration in a suitable place.

e. CELEBRANT

No priest may assist at the wedding of parishioners of another parish without the permission of the proper pastor. (CF/c. 1115) No priest can **validly** assist at a wedding in a parish of which he is not the pastor, associate pastor, assistant pastor or curate without proper "delegation" of the pastor or the Ordinary. (CF/c. 1118)

Pastoral Notes:

If another priest is invited to perform the ceremony, it is permissible for him to handle the preparation, but confirmation of this must be given to the local priest. If the priest is from out of state or is not able to handle the couple's preparation, it remains the responsibility of the local parish priest.

C. REQUIREMENTS FOR MARRIAGE PREPARATION

1. All couples wishing to be married in Catholic churches in the Diocese of Gary must participate in a formal diocesan approved marriage preparation course.
2. The engaged couple is asked to participate in a formal preparation course during the first three months of the six-month preparation time.
3. The Marriage Preparation Course is designed to:
 - Bring the couple to a deeper awareness of self, of intercommunication, of human sexuality and the theology of marriage.
 - Promote discussion between the couple on topics they may have not fully considered or shared with respect to marriage.
 - Help the couple come to a deeper appreciation of the impact of their own families of origin.
 - Foster personal and spiritual maturity through the use of parish resources.
 - Consider and review practical information a married couple will need.
(c. 1063)
(See Appendix D for Course details)

Pastoral Notes:

- a) In some particular cases, participation in the marriage preparation program by both parties **together** is impossible by reason of special circumstances (e.g. military service). Absent parties must obtain like preparation and assessment of readiness for marriage in their own locality in cooperation with the parish priest who will perform the ceremony.
- b) Since the last few months prior to the date of the wedding are filled with so many practical details, it is vitally important that quality time be spent early on by the couple and the priest/deacon in assessing the relationship and preparing for marriage. The crucial distinction between preparation for Matrimony and the planning for the wedding liturgy is maintained. "A wedding is a day.....a marriage is a lifetime."
- c) Some couples merit special considerations: the marriage of an elderly couple, for example, or the validation of a civil marriage which has existed for many years. Couples in these situations are treated with special sensitivity and probably always individually, rather than encouraged to meet with a group of couples. In some places special marriage preparation processes are available for couples who have been previously married.
- d) When making decisions about which program the couple will choose, it is wise to encourage the engaged couple to select those programs which will best suit their needs, rather than requiring a particular program.

e) **Pre-Marital Inventory.** Use of a pre-marital assessment or inventory is strongly recommended as part of the assessment for each engaged couple. For the following couples, however, the Pre-Marital Inventory is **required**:

- Age--if the age of either party is under twenty years on the proposed wedding date;
- Pregnancy--if there is a pregnancy and either party was under twenty-one years of age prior to the pregnancy or if there is a pregnancy and both parties have celebrated their twenty-first birthdays but were not engaged prior to the pregnancy;
- Previous marriage--if either party was in a previous marriage either ecclesiastically dissolved or declared invalid by a Church Tribunal;
- MPC non-participation--if one of the parties has not participated in the pre-approved Catholic Marriage Preparation Course;
- Problem areas--if, after participation by both parties in the Catholic Marriage Preparation Course, the parish priest is informed that problem areas surfaced from the course assessments.

***** Referral for professional counseling may be advised depending upon the special circumstances, or for other reasons noted by the priest/deacon. The counselor can assist in determining the readiness of the couple for marriage through professional evaluation, or engage in therapy and ongoing counseling which may deal with personality disorders or psychological issues too important to be left unaddressed before marriage.**

f) There are various tools available for the pre-marital inventory. These can be helpful in obtaining insights into the emotional, psychological, and religious maturity of the couple and in helping them become aware of both strengths on which to build their relationship and dangers that might threaten it.

g) The Pre-marital Inventory is a written value clarification exercise. It is not a test. It is intended to be **an aid to the priest and the couple** in exploring the couple's relationship, attitudes and expectations about entering into the proposed marriage.

D. DISPENSATIONS AND PERMISSIONS

In faculties granted to parish priests by Bishop Melczek, those permissions necessary for the legal celebration of marriage -- mixed religion, bans, or natural obligations toward a third party, or toward children born of a previous union -- are given within the parish without recourse to the diocesan curia.

All impediments to marriage, those conditions which must be removed for the valid celebration of marriage, are still reserved to the bishop or his delegate.
(See Appendix C for Impediments to Marriage)

Pastoral Notes:

In the 1918 Code of Canon Law, two kinds of impediments to marriage were identified - impedient impediments and diriment impediments. Impedient impediments affected the liceity of the celebration of marriage, while diriment impediments affected the validity of marriage.

In our common usage, a dispensation was asked from the bishop or his delegate to remove these two kinds of impediments. The 1983 Code of Canon Law removed the distinction and the use of the word impediment to refer to those legal requirements which do not affect the validity but only liceity.

A granting of permission is still required to remove the legal issue, but not a dispensation. The term impediment (diriment is no longer used) refers only to those invalidating blocks to the celebration of marriage. At least one impediment was added to the 1983 Code, that of the legal relationship or adoption, to address the situation of the modern world, and at least one was dropped, that of spiritual relationship.

II - AREAS OF SPECIAL CONCERNS**A. INTERRELIGIOUS MARRIAGES**

1. The generic term, Interreligious Marriage, applies to any marriage which involves a Catholic and a person who is not Catholic. Since the marriage preparation process will have a direct impact upon both the religious and marital future of the man and woman, the importance of sensitive and honest dialogue cannot be stated strongly enough. The couple is allowed an opportunity to share their different religious traditions and backgrounds, how these affect their relationship, and how they plan to share these with each other and their children.

2. The Catholic Church recognizes the sacred character of all marriages, but Catholic teaching assigns a further significance to marriage between baptized persons in that such marriages are considered sacramental.

3. In similar fashion, the particular tenets of the faith of the party who is not Catholic need to be explored. True understanding of another ecclesial tradition and the impact of that tradition on the life of one who has been raised and nourished in it requires more than a superficial impression gained only through distant observation. At this point, the cooperation of the clergy of both partners should be encouraged.

Pastoral Notes:

a) The Catholic party informs his or her future spouse that he or she promises to continue in the practice of the Catholic faith. The Catholic party also promises to baptize, rear and educate their children as Catholics. This written promise, made only by the Catholic party, is discussed by the priest/deacon with both parties early in the marriage preparation meetings. This is done to enhance the unity and oneness of the marriage and the family.

b) When the non-Catholic is not active in his or her religion, and appears to be open to learning more about the Catholic church, the priest/deacon invites him or her to consider the process of Rite of Christian Initiation for Adults (R.C.I.A.) with the Catholic partner.

c) In interreligious marriage involving the presence or participation of the non-Catholic minister, the priest or deacon advises the minister regarding the diocesan guidelines for the non-Catholic minister's participation which include:

- It is the sole role of the Catholic priest officiating at such marriages in a Catholic church to accept the couple's exchange of marriage vows. (*See: Liturgical Document for marriage ceremony guidelines.*)
- Exchange of vows between a Catholic and a baptized Christian usually does not involve a Mass. (*See "The Celebration of Marriage Outside of Mass" in the Liturgy Document, pp. 33 & 34; [Rite of Marriage 1969, paragraph 8; Order of Christian Marriage 1991, paragraph 36]*)
- Exchange of vows between a Catholic and a non-Christian may not involve a Mass.

B. NON-PRACTICING CATHOLICS

Non practice of the faith by the Catholic party(ies), with no intention of resuming practice, raises issues of special pastoral concern. There is a two-fold responsibility: to the couple and to the ecclesial community.

1. If the Catholic party has no intention of resuming practice of his faith, all policies regarding interreligious marriage apply. This might be an opportunity for evangelizing.
2. Those who are baptized in the Catholic faith but who were never instructed or raised in that faith, and who are, in fact, not practicing the Catholic religion, are invited to consider the R.C.I.A. process.
3. If someone has been raised in the Catholic Church but has abandoned the practice of his/her faith, or formally joined another faith community, the same procedure as for interreligious marriages is required, including permission to celebrate.

Pastoral Notes:

- a) The priest/deacon is responsible for helping the couple better understand the gift of faith and how the celebration of the marriage is an act of faith and worship which will deepen their personal involvement in the life of grace.
- b) If the couple sees the priest/deacon as fulfilling nothing more than a civil and social function, and is opting for a church ceremony only from social or cultural motives, or to gain family approval, there is good reason to judge that the liturgical celebration will have little, if any, spiritual effect for them. Instruction and counseling with a couple in this situation need to focus on the vital importance of faith for marriage within the Church, and call them to a richer and more fruitful experience of their faith.
- c) If the couple shows no perceivable good will or intent to resume practice of their faith, marriage in the Church can not be considered until a conversion of heart is manifested.

C. MARRIAGE AFTER A PREVIOUS UNION

Special marriage preparation is required to meet the unique needs of a couple requesting marriage following a previous union of one or both of them. **Freedom to marry** is determined. Both parties must be:

1. free from the bond of marriage, and
2. free from impediments.

(See Appendix C for Impediments to Marriage)

Pastoral Notes:

a) In recent years we have become aware that those who are separated from a former spouse by divorce or death go through a period of grieving lasting from two to five years. In our country about half of those who remarry do so within three years after their divorce or the death of their spouse. While this is understandable, such a short time before another marriage raises concerns. It takes time to sift through and properly accept all the thoughts and feelings which accompany such a painful experience. Too swift an entrance into a new relationship can cause a future disaster. Unfortunately, statistics indicate that the divorce rate for those who have married again is even higher than for first marriages.

b) The tendency exists to slight marriage preparation for couples who have been previously married. In fact, the need for marriage preparation is often greater for them than for those entering marriage for the first time. Due to the facts mentioned above, the parish priest needs to discern carefully if any hurts remain from the prior marriage(s) and if this is the case, he might suggest that the person or couple receive some counseling or attend a group program.

c) Besides helping the couple come to grips with the past, the priest/deacon must assesses the present relationship. Use of a pre-marital evaluation instrument such as the Focus instrument is strongly recommended for this. If it becomes apparent that the couple shows good communication patterns and manifests a reasonable potential for adjustment, the couple is directed to a formal marriage preparation program.

Widowed Persons:

1. Widows/widowers are to be given special preparation. Previous unions do affect the new relationship. Therefore those in charge of preparing these couples for marriage must keep in mind that although the individuals may have been in good marriages for years before being widowed, they have never been married to each other.
2. The life span of individuals is much longer than in earlier generations. Because of the burden of loneliness among older individuals, care is taken to ensure that the couple is properly motivated.
3. Sufficient time is given to ascertain the attitudes of their children regarding this marriage. The ties of family are strong and will influence the individuals for the rest of their lives. Utilizing the family bond to strengthen the union of a couple is one way to minimize the adjustment strain that comes with any marriage.

D. VALIDATION OF MARRIAGES

1. In the case of a couple who has married contrary to the laws of the Catholic Church, validation is permitted only after the couple's freedom to marry has been established and the preparational steps of these guidelines have been completed. (Refer to I., B., through C. Marriage Preparation Course.) It is the actual exchange of consent that forms a marriage, not simply the renewal of consent previously exchanged in another setting.
2. A validation is not simply a "blessing" of an invalid union. It is a commitment and an exchange of vows in the sight of the Christian community. It calls for a full and complete preparation--one which takes into consideration the different needs of a couple in this circumstance.
3. An invalid marriage may not be convalidated within six months following the attempted marriage. The full six month process is to be applied.
4. If one or both parties cannot or will not give the new act of consent required for a simple validation, a retroactive validation (sanatio in radice) might possibly be granted either by the diocesan Bishop or the Apostolic See. A union which is invalid because of an impediment or because of lack of the proper form can be validated retroactively, provided the consent of both parties persists. It involves a dispensation from the impediment, if there is one, and from the canonical form, if it had not been observed, as well as a referral back to the past of the canonical effects. If it is granted, the parties would not need to exchange consent before the duly authorized priest and two witnesses. (Canons 1161, #1; 1163)

Pastoral Notes:

- a) The care given a couple who is seeking to have their marriage validated, and is canonically free to marry in the Church, will emphasize an appreciation of the new dimensions, in most cases sacramental dimensions, which the relationship will be assuming.
- b) If the invalid marriage has taken place within six months, the priest/deacon will want to determine the motivations of the couple to marry in the Church at this time. Possible concerns to address are whether the couple married "out of the Church" because another priest wanted to delay their marriage, or if there is family pressure to marry in the Church now. Their present marital relationship is assessed and a determination made about the reasons why they desire to have their union validated. The priest/deacon explores whether a good appreciation of the sacramental dimensions of Christian marriage is present.
- c) If the marriage is already of long duration and exhibits stability, freedom to marry and the motivations of the couple to marry in the Catholic Church at this time are determined. Special marriage preparation will be necessary. The couple needs a proper understanding of the Sacrament of Marriage and the new dimension this Sacrament will bring to their union. Special sessions are to be provided for those who are having their marriage validated in the Church.
- d) In instances of advanced age, 60 years and over, the pastor is required to judge the level of formal preparation necessary.

E. MARRIAGES OF MINORS AND YOUNG ADULTS UNDER 21

1. The Church holds that the right to marry is a natural right of the highest priority, but is not an unqualified right. The Church and state have both established legitimate restrictions. In the State of Indiana, if either of the couple is 17 years, a signed parental permission, made in person, is required. If either is 16 years, a court order is required.
2. Without permission of the local ordinary, no one is to assist at the marriage of a minor child, under 18, especially when the parents are unaware of it or are reasonably opposed to it.
3. When one or both parties of a couple presenting themselves for marriage is under 21, special care and concern are given during the formal marriage preparation course, and these policy guidelines are closely followed.
4. Although he may consult others, the parish priest reaches the final decision concerning the readiness of the couple for marriage.

Pastoral Notes:

- a) Since there is such a high incidence of divorce among couples under 21, every effort is made by both parents and parish priest to dissuade the couple from entering marriage until they are properly prepared. The marriage preparation course is vitally important.
- b) Great care is taken to gain the confidence of the couple and to look upon the couple's love in a positive way. It is hoped that the marriage preparation process will bring about increased signs of maturity.
- c) The parish priest gives serious consideration to the couple's backgrounds and intentions. The couple is assisted to understand that marriage is a lifelong relationship and that the care given to their plans is not meant to create difficulties for them. Its purpose is to insure, as much as is humanly possible, that their union and their love will be lasting, and to help protect them from irreparable mistakes.
- d) A separate meeting with each of the engaged parties is suggested, usually at the initial meeting or shortly thereafter. It is also recommended that the parish priest interview each individual's parents at least once to ascertain their reaction to the proposed marriage. (*See Appendix E for the Parental Interview*)
- e) The parish priest makes every effort to reach a decision as soon as is prudently possible after the initial interview. The parish priest may seek the advice of other priests, other professionals or counselors at Catholic Family Service.

F. PREGNANCY

1. Pre-marital pregnancy of itself is not to be considered the determining factor in proceeding with the marriage; never is it reason to omit the normal Marriage Preparation Process. Special care and consideration are extended to the couple.
2. It is be strongly recommended to the parties that they consider delaying the wedding until after the birth of the child.
3. If the couple had made the decision to marry (i.e. were engaged) prior to the pregnancy, plans for the marriage are made after the Marriage Preparation Process has been completed and the priest deems the couple sufficiently instructed for marriage. Participation in a Catholic marriage preparation course and utilization of a premarital inventory are required. A parental interview, when possible, is recommended.

(See Appendix E for sample Parental Interview)

Pastoral Notes:

- a) A review of a premarital inventory, completion of the recommended professional evaluations, and counseling can be extremely helpful in determining the couple's maturity and readiness for marriage.
- b) Premarital pregnancy understandably creates a very real sense of urgency in the minds of a couple and/or their parents. However, it does not constitute by itself adequate justification either for the marriage or for shortening the marriage preparation process. Freedom to marry may be compromised, and a person's use of judgement affected.

G. COHABITATION

1. Cohabitation is not an invalidating impediment and marriage in the Church cannot be refused.
2. The parish priest is to treat a cohabiting couple with sensitivity, recognizing this as a unique, teachable moment.

Pastoral Notes:

- a) It is important to recognize that this is a "teachable moment" and the parish priest must be cautious lest he alienate the couple from the church community. This calls for pastoral support in the couple's plans for the future rather than chastising them for the past. The couple's desire for a sacramental marriage may be a response to the spirit.
- b) The goal of marriage preparation with a cohabiting couple is to bring them to an understanding of the essential properties of marriage: permanence, fidelity, openness to new life, and the establishment of community of life.

Pope John Paul II in his *Apostolic Exhortation on the Family*, states: "The gift of the body in the sexual relationship is a real symbol of the giving of the whole person" (#80). For a couple to engage in sexual intercourse outside of marriage without making a formal, public, permanent commitment to each other is to falsify the sacred symbol that sexual intercourse is. Jesus calls a couple to a covenant relationship. This includes love, fidelity and a commitment to each other forever. The Church, therefore, rejects cohabitation and calls couples to follow Christ's teaching.

- c) This premarital process includes the following:
 - Inviting the couple to reflect on what led them to the decision to cohabit, what the likely or intended consequences may be and what their hopes are in a cohabitational relationship.
 - Sharing with the couple the Catholic Church's rich teaching on matrimony and sexual morality (including the "why" of it) and the faith response which ought to follow.
 - Giving the couple the opportunity to choose a personal faith response for the future. Certainly this would be an excellent opportunity to encourage the sacramental celebration of reconciliation.

G. COHABITATION Pastoral Notes con't

d) If the engaged couple cannot or will not come to an appreciation of the essential properties of marriage (cf. "b" above), it may be appropriate to delay the wedding after consulting with the local ordinary.

e) While the Church is happy that they want to be married in the Church, the liturgical celebration of the sacrament reflects the present status of the couple, i.e. the entrance procession does not separate the couple; they process down the aisle as a couple. A simple ceremony (only a few attendants) is planned. The father does not "give away" the bride as she has already given herself. We do, however, leave some things to the work of the Spirit.

H. SPECIAL CIRCUMSTANCES:**1. OLDER ADULTS**

The parish priest has the responsibility to see to it that older adults who present themselves for the Sacrament of Marriage have preparation appropriate for their state of life.

Pastoral Notes:

a) Generally, when individuals are over the age of 35, special consideration is given to their needs during the marriage preparation process. The usual preparation procedure is followed. In addition, a plan of preparation adapted to their specific needs is given to them.

b) Older couples have different needs than the majority of engaged couples, such as issues of independent living, financial viability, their level of maturation, flexibility and commitment concepts.

2. OTHER ABLED PERSONS

The parish priest needs to show care and concern when an individual who is physically, mentally or developmentally disabled presents him/herself for the Sacrament of Marriage. It is of the greatest importance to treat each situation on an individual basis and oftentimes the counsel of experts is sought.

Pastoral Notes:

a) The "experts" referred to in this policy may be a variety of persons in the diocese who are designated on a full or part time basis to work with those persons who are physically, mentally or developmentally disabled in any way.

b) When necessary, the Tribunal is contacted regarding the canonical aspects of these situations, particularly when professional experts and/or civil authorities consider the parties incapable of assuming responsibility for their own lives. (See Appendix F for Marriages with Other Abled Persons)

3. DRUG-ALCOHOL DEPENDENCY

When a person approaching the church for marriage has a chemical dependency of any kind, it must be evident that this individual is in a state of recovery.

Pastoral Notes:

a) The disease of alcoholism as well as acute drug problems permeate society. Affected by these chemical dependencies, families experience a deterioration of mutual support. Children reared in such an atmosphere, or children who are themselves chemically dependent, may not be able to sustain wholesome relationships especially within marriage.

b) Persons divorced from chemically dependent spouses may find themselves in another relationship with a chemically dependent person.

c) Some couples approach the church for marriage who are not chemically dependent, but have been reared in an alcoholic/drug dependent family. It is imperative for them to understand the possible problems this may cause in their marriage relationship. Priests encourage such couples to seek counseling or group therapy.

4. SPECIAL SITUATIONS

1) **Unwillingness to prepare for marriage.** Refusal of the couple to participate in any of the steps of Marriage Preparation can be an indication of ill will and/or a sign that they are not really serious about the Sacrament of Marriage, or the lifestyle of Christian marriage and, therefore, is cause for delay.

2) **Lack of Appreciation for the Spiritual and Sacramental Aspects of Marriage.** The couple is helped to an awareness and appreciation of the essential components of Christian marriage:

- permanence of the union
- creative fidelity to each other
- openness to children
- establishment of community of life

They also become aware of their covenant which offers them the opportunity to bring each other to fullness of life in the Lord. A lack of understanding of these elements is cause for considering a delay.

Pastoral Notes:**Extended Separation before or after the wedding.**

Good marriage preparation may not be possible and future adjustment to married life may be extremely difficult. It is obvious that for a marital relationship to grow and develop the couple needs to be spending much time together, especially at the outset of their married life.