

# Marriage

**DIOCESE OF ROCHESTER**  
TRIBUNAL

**GUIDELINE FOR WRITING MARITAL HISTORY**

**A. YOUR BACKGROUND**

1. What kind of family do you come from?  
Describe the personalities of your parents. Which was more influential in family matters?  
How did you relate to your siblings and friends?  
How did you relate to law and authority figures?  
Are religious and ethical values important to you? Describe your religious practice and beliefs.  
How did you approach relationships with people of the opposite sex? Did you do much dating? Were there any other long term relationships?  
Did you ever use drugs or alcohol?  
How did you ever spend or had financial problems?  
Were there any particular problems areas?  
Were your level of maturity and responsibility appropriate for someone your age?  
Describe the strong and weak areas of your personality, touching on characteristics such as honesty, loyalty, gentleness, jealousy, unpredictable or hostile behavior?  
Please use examples where they might be helpful in understanding your statements.

**B. YOUR FORMER SPOUSE BACKGROUND**

IT IS ESSENTIAL WE HAVE YOUR VIEWPOINT ON THE PERSONALITY AND FAMILY BACKGROUND FOR YOUR FORMER SPOUSE FROM YOUR PERSPECTIVE PLEASE DO NOT ASK YOUR FORMER SPOUSE TO COMPLETE THIS SECTION WE WILL CONTACT HIM/HER WHEN WE BEGIN WORKING ON THE CASE

Please cover the background information listed in Section A, listing the same points as above regarding your former spouse.

**C. DATING AND COURTSHIP**

When and how did you meet?  
Did you date frequently? What kinds of activities did you do together?  
Did you ever stop dating or seeing each other? If so, why?  
How did the topic of marriage come up or discussion? What did you know about each other at the time?  
What did both of your families think about the marriage? Your friends?  
Was there any pre-marital sexual activity?  
Why were the wedding preparations made and carried out?  
Did either of you have any reservations about promising to be faithful?  
Did either of you have any reservations about promising to have children with each other?  
Do you believe you know each other well enough, to be open and honest with each other, able to communicate effectively?  
Do you feel you were ready for marriage at that time? Why or why not?  
What were the factors that indicated this to you?

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**TRIBUNAL OF ANNULMENT**

Rochester Tribunal to declare invalid my marriage to \_\_\_\_\_ which took place at \_\_\_\_\_ on \_\_\_\_\_ with grounds shown from the accompanying material.

Concerning Myself:

- Name \_\_\_\_\_
- Address \_\_\_\_\_
- City \_\_\_\_\_
- Telephone Number(s) \_\_\_\_\_
- Date & Place of Birth \_\_\_\_\_
- Date of Baptism \_\_\_\_\_
- City \_\_\_\_\_
- Your religion at time of marriage \_\_\_\_\_
- Names of Parents \_\_\_\_\_
- Mother's maiden name \_\_\_\_\_

Concerning Respondent:

- Current Name \_\_\_\_\_
- Address \_\_\_\_\_
- City \_\_\_\_\_
- Telephone No. \_\_\_\_\_
- Date & Place \_\_\_\_\_
- Date of B \_\_\_\_\_
- City \_\_\_\_\_
- H. P. \_\_\_\_\_
- Sex \_\_\_\_\_
- Age \_\_\_\_\_

## Europe

Continued from page 4A

ceiving the decision are free to marry in the Catholic Church and thus establish a second family while still fully participating in the church's sacramental life.

The issue was spotlighted in October by the Vatican's strong reaffirmation that Catholics in invalid second marriages cannot receive Communion. The church considers a Catholic as living in adultery if the first spouse is still alive and a church court has not granted an annulment.

The Vatican's reaffirmation came at a time when some European Catholics in invalid second marriages were quietly going to Communion. Three German bishops had even developed a written policy that tolerated this in certain circumstances on a case-by-case basis. They dropped the policy after the Vatican affirmation.

One of the three Germans, Bishop Karl Lehmann of Mainz, cited the huge number of Catholics in irregular second marriages as a major pastoral problem sparking the German search for a solution to the Communion issue.

About one-third of adult German Catholics are in second marriages, but most "do not want to go through the annulment process," he said.

Germany, with a Catholic population of 28.4 million in 1992, saw only 848 annulment cases introduced into its church courts. Courts granted 540 annulments during the same year.

Bishop Lehmann said many people believe the process "enters too deeply into the intimacy of their marriage."

Italian church court officials agreed, saying an Italian civil divorce is a lot less trying on people than an annulment process.

A civil divorce is almost automatic after a three-year legal separation, and there is virtually no investigation into the personal reasons that caused the marriage breakdown, said Monsignor Rosario Colantonio, president of the church's marriage appeals court for central Italy and Sardinia.

"In a court you are questioned about your matrimony. This costs in terms of psychological trauma and shame," he said.

Throughout the Netherlands, church judges are urged to decide cases within a year. It is rare for cases to go to Rome, he said, as most appeals are handled in the country of origin.

## Annulments can foster healing, growth

By Lee Strong  
Senior staff writer

Father William Laird has heard all the myths concerning receiving an annulment, a declaration by a church court that, for any one of a number of reasons, a marriage is invalid, and thus a person is free to marry again in the Catholic Church.

Among these myths are:

- An annulment is easy to obtain, especially if one is rich or has connections.
- Conversely, annulments are difficult to obtain.
- An annulment is just a Catholic divorce.
- Annulments are expensive.
- An annulment is impossible to get if the marriage lasted many years or if there are children involved.

The list of misunderstandings and erroneous beliefs goes on and on, and Father Laird, judicial vicar for the Rochester diocese, is clearly tired of having to respond to them.

"You just come to a point of saying, 'These (myths) are going to be out there always,'" Father Laird observed. "You can't start a crusade to deal with them. You just respond to them as they come up."

"I think there are times people take refuge in the myths because they are afraid to invest themselves in the annulment process," he added.

Father Laird acknowledged that the process does take work and time and yes, it does involve a fee — but no one is denied an annulment simply because of lack of the money.

The process can also resurrect old hurts and pains.

But that pain is not necessarily a bad thing, Father Laird observed, because it sometimes forces both partners to look at what caused the marriage to fail, and at their individual

shortcomings and weaknesses that contributed in some way to this failure.

"They come to a deeper insight about choices they make in their relationships," Father Laird noted.

This knowledge of how and why they make certain choices can help them to make better ones in the future, the priest said, adding that confronting reasons behind a failed relationship can also lead to healing and growth.

As part of the process of examining a failed relationship, a person seeking an annulment is asked detailed questions — including some concerning sexual activity.

"We're not looking for torrid details," Father Laird explained. Rather, he explained, sexual activity, especially if it began before the marriage, can affect a person's decision-making ability when considering marriage.

"A person who is involved in a physically intimate way with (another) person is not necessarily able to be objective," Father Laird observed. "Once we're involved with another in a physically intimate way, can we be completely rational and objective? I think that's a challenging proposition."

In response to inquiries about annulments, the diocesan Tribunal — the office which evaluates annulment cases — sends out a form outlining the annulment process.

After making initial contacts with a parish priest or pastoral assistant — and obtaining a civil divorce, of course — the person seeking an annulment must complete forms detailing the relationship and possible grounds for the marriage to be declared invalid; whenever possible, the former spouse is contacted to obtain additional

statements about the relationship; additional testimony is sought from witnesses; the merits of the case are discussed; a verdict is rendered; time is allowed for appeal by either party; the decision is reviewed by an appeals court; and final documents are issued.

Under "ideal" circumstances, the diocesan information sheet notes, an annulment can be processed in four-and-a-half months — although the reality is that decisions often take months longer, Father Laird cautioned.

The information sheet also recommends a book titled "Marriage, Divorce and Nullity," by Bishop Geoffrey Robinson. The 1984 book, Father Laird noted, contains easy-to-read and understandable summaries of church teachings about marriage and annulments — and it dispels many of the common myths.

"The church sees marriage between two Christians as a sacrament," Bishop Robinson writes. "Marriage is both a covenant between the couple and a covenant between the two of them and God. The call to married life is, in the true sense of the word, a vocation, a calling from God."

At the same time, Bishop Robinson writes, not every wedding is a "marriage" in the full sense of the word. A marriage may be considered invalid for any one of a number of reasons, including: at least one of the partners is too young; impotence; the couple are close blood relatives; the wedding was performed improperly; one of the partners was forced to marry; one of the partners did not intend to remain faithful, or to remain in the marriage or is not open to having children.

The church maintains that a civil divorce is not sufficient if

a Catholic wishes to enter a second marriage because the church believes that marriage is a sacrament — it is considered a lifelong commitment if valid.

Moreover, the church recognizes that civil marriages or marriages in another church are valid for non-Catholics, so a divorced person seeking to enter the church in this diocese through the Rite of Christian Initiation of Adults must procure an annulment first. This prevents problems later on if a person successfully finishes the RCIA process, and he or she seeks to get married in the church, Father Laird explained.

The Catholic Church has a stronger notion of what marriage is than does society, Father Laird emphasized. The Catholic notion is that marriage lasts until death. The civil notion is that marriage lasts until death — or until a judge intervenes.

"Our civil society believes in temporary marriages," Father Laird asserted. "Whereas the church says if a (valid) marriage exists, you are bound until you die."

And despite rumors that annulments are widespread, Father Laird noted that only 253 cases were decided in the Rochester diocese in 1994. In six of those cases, the Tribunal decided that there were insufficient grounds to declare the marriage null.

In addition, Father Laird noted that marriage-preparation programs are beginning to look more closely at some of the issues that can affect a marriage's success and validity.

The priest said programs that help couples to discern "some very definite and significant differences between us and our way of approaching them, those ultimately are going to serve couples best."