

Marriage

Annulment process now more 'user-friendly'

By Mike Latona
Staff writer

Nobody enjoys writing intimate details about a failed marriage — and then mailing that information to people they've never met.

However, the Diocese of Rochester's Tribunal office has taken steps to reduce anxiety among people who ask to have their marriage declared null — that it was never valid as a sacrament because of some impediment.

Beginning in September 1996, the Diocesan Tribunal has implemented three changes in the process of determining if a marriage was not valid:

- A new application form is being utilized. This form eliminates the comprehensive marital history required by previous applications. Instead, petitioners will only briefly describe reasons they feel the marriage is invalid.

- For the first time, tribunal officials are conducting personal interviews separately with the peti-

tioner and former spouse. Each person has the opportunity to respond to specific questions about themselves and their marriage, and also to ask questions about the process for nullity.

- Parish ministers are requested to take a larger role in assisting petitioners to complete their petitions, and supporting them through this process.

These changes are designed to bring a more compassionate approach to an often unpleasant experience, said Father Louis Sirianni, judicial vicar for the tribunal.

For instance, replacing written details with interviews helps, Father Sirianni said, because "a lot more people feel comfortable with a live person, instead of sending something in and wondering what's going to happen."

John Skvorak, a judge for the tribunal, said many people may have delayed filling out the old application because they didn't want to revisit painful memories.

"It can be a traumatic process

for people to go back to something they had buried," Skvorak said. "We're asking them very personal things. We're saying, 'Spill your guts — and then we're going to ask you a few more things.'"

In a majority of marriage nullity cases, such questions determine whether a marriage can be declared invalid by lack of consent. When one or both parties do not give complete consent required by canon law, then the marriage is annulled. Some potential conditions include emotional immaturity; psychological incompetence; error surrounding a spouse's identity; and marriages that occurred out of deceit, force or fear.

Parish support helps reduce the apprehension felt by applicants, Father Sirianni noted. Pastors and staff members can also act as a liaison between the petitioners and the tribunal staff, he added.

"They could give some insight into the people and the situation," Father Sirianni said.

Skvorak and Father Sirianni emphasized that people wishing to apply for annulment should contact their parish minister first, rather than the tribunal office.

"We want them to establish relationships at the parish level," Skvorak said.

In the months since the tribunal's changes, the average number of cases has risen from 25 to 35 per month. The apparently welcome adjustments are also being received well at the parish level.

"It's a much more personal process. The tribunal will no

longer be a fearful, distant thing," said Deacon Thomas Driscoll, who assists with annulment cases at St. Louis Church in Pittsford.

Father P. Paul Brennan, pastor of Sacred Heart Church in Auburn, described the new format as "much more user-friendly." He said that he already knows of some petitioners from his parish who have quickly returned the newly designed forms.

"It comes back much more rapidly now, whereas it could take months before," Father Brennan said.

Due to an increase in tribunal staffing, Father Sirianni noted that the amount of time for a case to be processed is largely unchanged despite the increased caseload. Currently, he said, the waiting period is seven months for a case to be heard, and another seven to nine months before it is completed.

Tribunal officials stressed that although a case may be accepted for examination, this does not guarantee that nullity will be granted. Therefore, applicants should not set dates for new marriages until they have received confirmation of nullity from the tribunal.

EDITORS' NOTE: The tribunal staff is offering workshops, beginning Feb. 4, to review changes in the diocesan marriage nullity process. Pastoral staff members are encouraged to attend. For details, call St. Bernard's Institute at 716/271-3657.

Struggles are normal, according to pontiff

VATICAN CITY — Struggle, pain and sacrifice in a marriage are signs that the couple is human, not that one or both spouses are incapable of fulfilling the responsibilities of marriage, Pope John Paul II said.

When examining requests for a marriage annulment, the Catholic Church begins with a presumption that the marriage was valid, the pope said in a Jan. 27 speech to the Roman Rota, a Vatican tribunal that handles annulment appeals.

"In evaluating the capacity for or the act of consent necessary for the celebration of a valid marriage, one cannot require that which is not possible to ask of people in general," the pope said.

The human person, he said, is "always growing, called to make responsible choices based on his initial potential, enriching them ever more with commitment and the help of grace."

A realistic approach takes into consideration the limits placed on people by their "human nature burdened by sin" and the "never insufficient help of divine grace," the pope said.

Understanding the human beings involved in the marriage relationship, he said, one becomes aware of "the necessity of sacrifice, the acceptance of pain and struggle as indispensable to being faithful to their obligations."

An unrealistic, "idealized" picture of what marriage is, he said, has led some people "to interpret the normal difficulties which can be registered in the journey of the couple... as an authentic incapacity to assume the obligations of matrimony."

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