

# Tribunal: Frequently Asked Questions

## **Q. How does the Tribunal assist divorced persons?**

**A.** When a divorced person has remarried, or wishes to remarry in the Catholic Church, the Tribunal assists in preparing a case for the Church annulment or dissolution of that person's previous marriage, or in confirming whether a former spouse has died.

## **Q. What is a Church annulment?**

**A.** Unlike a divorce, which states that a marriage that once existed no longer does, an annulment is a declaration by the Catholic Church that the prior union never had the binding force that characterizes marriage. An annulment does not deny the reality of the wedding or the experience of the spouses during married life, but rather says that because something was seriously defective when the bride and groom spoke their wedding vows, the marriage lacked the binding force that Jesus taught (Mk 10:7-12; Mt 5:31-32; Lk 16:18).

## **Q. What is a dissolution of marriage?**

**A.** When two people enter a marriage and one or both are not baptized, or when the marriage is not consummated after the wedding ceremony, the Pope may grant a dissolution of that union. Requests for dissolutions are prepared by a Tribunal and then sent to Rome for action by offices designated for that purpose.

## **Q. How could a marriage qualify for an annulment?**

**A.** If any of the following conditions existed at the time of the wedding, it is possible that a marriage would qualify for an annulment:

If the marriage ceremony was not legally acceptable to the Catholic Church (this affects only Catholics and Orthodox Christians).

If either spouse was not free to marry.

If either spouse was not adequately prepared to understand, accept and fulfill God's plan for married life as the Catholic Church teaches it.

If either spouse did not intend, from the beginning of marriage, to accept God's plan for married life as taught by the Catholic Church (examples would be the refusal to have children, or to be faithful, or to marry for life)

## **Q. Who needs a Church annulment or dissolution?**

**A.** Anyone, Catholic or not, who was previously married and whose former spouse is still alive, and who wants to marry someone else in a Catholic ceremony needs some action or decision through a Catholic Church Tribunal about the former marriage.

## **Q. When do persons who are not Catholic need this service?**

**A.** The Catholic Church respects as valid the marriages of persons who are not Catholic. If a divorced person who is not Catholic wants to marry a Catholic, our Church requires proof that the prior marriage never had the binding force that Jesus taught.

## **Q. How much is the cost?**

**A.** In the Trenton Diocese the administrative fee for annulment or dissolution is not less than \$50 nor more than \$800 for each marriage considered. The cost depends on the type of case and the expense of preparing it. The case fee represents less than half the actual expense of preparation because the Diocesan Bishop funds the balance from a share of the generous contributions of the Catholic faithful of the diocese. If someone needs a reduction of the case fee or wishes to pay it over an extended period of time, that person may make such an arrangement directly with the Tribunal staff. The Tribunal does not request, and no one is allowed to ask for, more than the Tribunal's published fee for a particular case. A list of fees is available upon request from the Tribunal.

## **Q. How long does the process take?**

**A.** The Diocese of Trenton Tribunal has made a commitment to complete each process in a year or less, and we currently average less than a year in 85% of our cases. The length of the process depends on many factors which no one can be sure will fall into place by a given date. Chief among those factors are the ease or difficulty in finding proof, the extent of cooperation of the persons who are involved, and the availability of staff in the Tribunal.

## **Q. Where does a person start to seek a Church annulment or dissolution?**

**A.** In the Trenton Diocese, a person seeking a Church annulment or dissolution should begin with a parish priest, deacon or approved annulment advocate in the Catholic's home parish. Whether or not that church is in the diocese where the request for annulment or dissolution will eventually be presented, it is important to begin the process with someone who can continue to assist on a local level until the case is completed.

## **Q. Which Tribunals can help?**

**A.** It depends on the marriage for which an annulment or dissolution is sought. The person seeking an annulment or dissolution usually has a choice among the following: the Tribunal of the diocese where his or her prior marriage took place; a Tribunal where the former spouse of that marriage lives, the Tribunal where the person seeking the marriage lives provided both parties live in the United States, or a Tribunal where most of the proof would be found. There are exceptions and alternatives; ask the Tribunal directly if you need more information about this.

## **Q. What is the status of children of a marriage after a Church annulment or dissolution?**

**A.** Children become and remain legitimate when or because a wedding ceremony has taken place. They can never lose that legitimacy even after an annulment or dissolution. No one can use a Church annulment or dissolution to claim he or she no longer has parental relationship with, or obligation toward, the children.

## **Q. Can a wedding date be set for a person who has been previously married?**

**A.** In the Diocese of Trenton no wedding date may be set until the freedom of a person to marry is established with a death certificate of the prior spouse or a Catholic Church annulment or dissolution of the prior marriage.

## **Q. Does the former spouse have to be contacted?**

**A.** In most types of marriage annulments and dissolutions, the Tribunal must let the other spouse to the former marriage know about the process and his or her right to participate in it. The Tribunal does not require former spouses ever to contact one another, and does not release the address or telephone number of either spouse to the other. If there is concern that even the Tribunal's contact may cause harm, the Tribunal needs to know this ahead of time and to discuss with the person seeking the annulment or dissolution the best way to safeguard the rights of both without causing either one harm.

## **Q. Is more information available?**

**A.** More information is available from the Office of the Tribunal by telephone at **(609) 406-7411** (Monday-Friday, 9:00 a.m. to 4:30 p.m. except holidays) or by e-mail to [Tribunal@dioceseoftrenton.org](mailto:Tribunal@dioceseoftrenton.org).