MEMORANDUM

To: Episcopal Vicars
   Parish Administrators/Pastors/Parochial Vicars/Chaplains/Deacons
   Catechetical Administrators
   Pastoral Associates
   RCIA Directors

From: Very Reverend Benedetto P. Vaghetto, VJ, JCL

Date: August 20, 2020

Re: RCIA Catechumens/Candidates and Weddings/Validations

In light of concerns over the Corona virus safety we realize RCIA inquiry classes this year are subject to change due to COVID-19 and the recommended safety precautions. Despite these challenges we realize the need to adapt to bring people into the Catholic Faith through the RCIA process or to plan a wedding with couples who are eager to start their life together with God and the Church! I am sure that all of us are as delighted to welcome RCIA catechumens/candidates as we are to schedule and celebrate marriages/marriage validations with couples who desire to journey in faith with us. It’s disheartening, however, on the occasions when we must explain to the faithful that these Sacraments will be unexpectedly delayed, which may result in a financial burden to them if they paid for other related arrangements. To help prevent the need to deliver such disappointing news, please consider the following.

RCIA Catechumens/Candidates

At the very beginning of the RCIA process it is very important to ask about the marital status of the catechumens/candidates. Are any of those beginning the RCIA process in a possible invalid marriage? Do any of the people you are working with need to have their marital status canonically clarified? While it is still early, now is the time to determine if anyone in your RCIA process needs canonical assistance.

Each year just prior to Easter we receive cases that sometimes were not handled at the beginning of the RCIA, and are discovered to involve persons who are in need of a lengthy canonical process. Most of those persons are greatly disappointed to discover that they are not able to be received into the Catholic Church at the Easter Vigil.

If you have anyone who may need clarification, please call the Tribunal at 412-456-3033. We are happy to offer guidance in order to determine the most appropriate process to clarify the person’s marital status.

If you have someone who needs to begin the formal process toward a declaration of nullity, ask that person to immediately start the Application for Annulment process electronically at www.diopitt.org/annulments or to call Tribunal staff at 412-456-3033. In either case, be sure the person tells our staff that they are in the RCIA
process. We will give those cases as much special attention as is possible, but there can be no guarantees of the outcome prior to Easter.

Weddings/Validations

Serious problems often occur when a date is given by a parish for a wedding before a decree of nullity has been received by the priest/deacon. Please remember that it is the policy of the diocese not to establish a wedding or marriage validation date until the nullity is documented. Please do not promise or schedule (not even in pencil) a wedding date until a nullity decree is obtained.

Of course, there may be pressure from the couple to set a date so that they can reserve a reception site, etc. However, if there is a prior marriage, the priest or deacon must make it clear to a couple that no wedding date can be given until that obstacle is cleared by a final decree of nullity. This not only applies to formal nullity trials but also to what may appear to be a Lack of Form case.

If a priest/deacon ignores this caution and sets a date for a wedding before a decree of nullity the Tribunal cannot be responsible for the consequences. In a formal case, it is presumptuous to assume that the judgment of the court will be affirmative. Many things can happen to delay a decision or the issuance of the final decree. The witness testimony may contradict the assertions of the petitioner; the respondent may appeal; pastoral or psychological counseling may be required. A formal decree of nullity is not automatically issued at the end of the formal process. It is only issued to a priest/deacon in preparation for a new marriage. Often the letter announcing the conclusion of the formal process is mistaken for the decree. The letter clearly indicates that any priest/deacon preparing the party for a new marriage must be in contact with the Tribunal for the requisite decree of nullity. Sometimes the decree cannot be issued until pastoral or psychological counseling requirements are met. Also, please keep in mind that it is possible that the Tribunal may issue a negative decision as a result of the annulment investigation.

When circumstances appear to indicate a nullity by reason of a Lack of Canonical Form, the tendency is to assume that is the case. Sometimes that assumption turns out to be false. In the case of a petition for Lack of Form Nullity the search may uncover the fact of a validation; if the respondent was the only Catholic party it may be impossible to come up with proof of baptism; our investigation may find that a dispensation from canonical form had been issued. In some cases the priest/deacon could have made an error in thinking that marriage in an Orthodox church was eligible for a Lack of Form decree. To send in the application for a Lack of Form Nullity along with the prenuptial papers a few days or weeks before the wedding is more than risky. A wedding date should not be set until a final decree is obtained. That policy applies to apparent Lack of Form cases as well as formal nullity processes.

When couples come to us with multiple marriages in their histories the situation becomes even more risky. A simple error on the part of the priest/deacon, or a misunderstanding of a party about the type of prior marriage that “counts” and are investigated by the Tribunal, can be a disaster. For every prior marriage there is some process of investigation by the Tribunal. One could falsely assume that a second marriage of a non-Catholic did not count since they were married once before. A decree of ecclesiastical divorce from an Orthodox church does not make an individual free to marry in the Catholic Church. Priests/deacons are sometimes surprised to find that a person was married more than once or twice. The bride or groom is equally surprised that there is a problem since they assumed that we were only interested in how their most recent marriage was resolved.

Please do not open up the possibility of having a wedding cancelled because of the above or because the impediment of prior bond could not be removed.

Please contact the Tribunal if you have any questions or need more information.

With sincere gratitude for your cooperative partnership with the Tribunal and committed service to the faithful—