

12 myths about marriage annulments in the Catholic Church

MYTH NUMBER ONE:

A Divorced Person is Automatically Excommunicated from the Catholic Church

The truth is that divorce itself does not affect or alter a person's status in the Catholic Church. Divorce is a function of the civil law and secular courts. Although it has been a widespread misconception for many years, it is a myth that a divorced Catholic is "excommunicated," this is, not able to receive the sacraments within the Church.

MYTH NUMBER TWO:

An Annulment Costs Thousands of Dollars

The truth is that no Tribunal anywhere in the world asks for "thousands of dollars," although the fee requested for an annulment process does vary from one Tribunal to another. In the Archdiocese of Baltimore, the requested fees range from one hundred dollars to five hundred dollars, depending on the type of case, but the fee the Petitioner pays is only about one-half of the Tribunal's actual cost for a case. It is a myth that the process costs thousands of dollars, and in fact no one is ever turned away from a Tribunal because of their inability to pay a fee.

MYTH NUMBER THREE:

Only Catholic Marriages Need to be Annulled

The truth is that every marriage is considered a promise for life, a promise until death. It makes no difference whether that promise was made in a Catholic ceremony or not. No one, no matter what their religious affiliation or membership, is considered free to contract another marriage if they were married previously. Every prior marriage must be investigated and annulled before a person can enter a new marriage. It is a myth that no annulment is required if a person wasn't married in a Catholic ceremony.

MYTH NUMBER FOUR:

If an Annulment is Granted the Children will be Illegitimate

The truth is that an ecclesiastical annulment is concerned only with the spouses, and not the children. An annulment has no effect at all on the legitimacy of children, or other arrangements regarding children, such as custody or support. These are all concerns of the civil law, and an ecclesiastical annulment has absolutely no effects under civil law. It is a myth that granting an annulment makes the children illegitimate.

MYTH NUMBER FIVE:

It Takes Three to Five Years to Get an Annulment

The truth is that every annulment case is different, and some processes are longer than others, but few cases ever take more than 18 months from start to finish. Decades ago, it did take several years, but today the longest process is usually finished in 9 to 18 months. Some types of cases can be finished in a month or even less. It is a myth that the typical marriage annulment takes three years or more to complete.

MYTH NUMBER SIX:

Anyone who Applies (and Waits Long Enough) Will Get an Annulment

The truth is that Tribunals do give negative decisions. The burden of proving a case rests on the Petitioner, that is, the person who applies for an annulment. The Catholic Church presumes that every marriage is a valid union, and there must be sufficient grounds for declaring otherwise. The Tribunal will help the Petitioner to understand what's needed to develop a case, but if there isn't enough proof, the Tribunal will give a negative decision. It is a myth that everyone who applies gets an annulment.

MYTH NUMBER SEVEN:

If Children were Born in the Marriage, It Can't be Annulled

The truth is that the Catholic Church considers an openness to children to be a natural and essential part of sacramental marriage, but whether any children were actually born or not has no bearing on the possibility of an annulment. If children were born, it is important that both parents live up to their natural and legal obligations to their children. It is a myth, however, that a marriage can't be annulled if the marriage resulted in children.

MYTH NUMBER EIGHT:

The Ex-Spouse Has to Agree to an Annulment Or It Can't Be Granted

The truth is that both spouses have equal rights in an annulment proceeding, but that doesn't mean that the Respondent—the ex-spouse of the person who starts the annulment process—has to agree to an annulment. The truth is that the Tribunal judges can grant an annulment even if the ex-spouse is adamantly opposed to the idea of an annulment. It is a myth that both spouses have to agree to an annulment.

MYTH NUMBER NINE:

An Annulment is Just "Catholic Divorce"

The truth is that civil divorce and a church annulment are two vastly different things. A divorce is concerned with the legal realities of marriage only; an annulment is concerned with the religious and spiritual element—the sacrament of marriage. A divorce focuses on the end of a marriage; an annulment looks at the beginning, the very moment the couple said "I do." A divorce looks at marriage in civil law; an annulment looks at marriage from the perspective of the Gospel and of Church doctrine. It is a myth that an annulment is "Divorce, Catholic style."

MYTH NUMBER TEN:

An Annulment Means The Marriage Never Took Place

The truth is that an annulment can't erase history, and doesn't try to. An annulment in the Catholic Church deals only with the sacrament of marriage, and not the legal, historical, emotional truth of marriage. An annulment states that the sacrament was never present in the marriage, and not that the marriage never took place. It is a myth that an annulment means that the marriage never happened.

MYTH NUMBER ELEVEN:

The Tribunal is Like a Courtroom, With Judges, Witnesses, lawyers, & Cross-Examinations

The truth is that the Tribunal is a Court of Law for the Church, but it is very different from a civil courtroom. Depending on the type of case, the spouses may have Advocates, and there will be 1 to 3 judges, but most of the work is done in writing, and there is never an emotional courtroom scene as in television dramas. If a person appears in person to offer testimony, it is usually done in a private interview, and never with "cross-examination!" It is a myth that the Tribunal is like a TV courtroom.

MYTH NUMBER TWELVE:

The Idea of An Annulment Is Pure Localism in the Catholic Church

The truth is that an annulment is "packaged" in a legal environment, since that is the best way to protect the rights and interests of everyone involved, but it is far more than a "legalistic process." People who've gone through an annulment have found peace and insight into themselves and their marriages. It is a myth that the only concern of the Church in an annulment is legalism, but through the Tribunal process the Church invites you to find healing, forgiveness, and new joy.

For more information, please contact your local Catholic parish.