



ROMAN CATHOLIC
DIOCESE OF ROCHESTER

POLICIES
FOR THE
ADMINISTRATION
OF THE
SACRAMENTS

SECTION 7
MARRIAGE



Decree of Promulgation

My dear Brothers and Sisters in Christ:

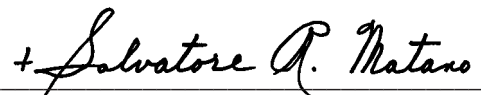
Following upon the **Decree of Promulgation dated September 14, 2014**, by which the policies contained in the *Policies for the Administration of the Sacraments in the Diocese of Rochester* were issued for the Sacraments of Baptism, Holy Eucharist, Confirmation and Penance, and the **Decree of Promulgation dated April 4, 2016**, by which the *Policies* for the Sacrament of the Anointing of the Sick, the Sacrament of Holy Orders and the *Rite of Christian Funerals* were incorporated, I now am pleased to complete our *Policies* by incorporating the instructions for the Sacrament of Holy Matrimony. These *Policies* are intended to assist all our Catholic parishes and institutions in assisting those preparing for marriage, recognizing that: “The Sacrament of marriage is not a social convention, an empty ritual or merely the outward sign of a commitment. The Sacrament is a gift given for the sanctification and salvation of the spouses, since ‘their mutual belonging is a real representation, through the sacramental sign, of the same relationship between Christ and the Church.’” (*Amoris Laetitia*, 72).

Therefore, having consulted with the Diocesan Presbyteral Council, the College of Consultors, the Pastors/ Administrators, the College of Deans and the staff of the Office of Evangelization and Catechesis, I hereby promulgate this addition to the *Policies for the Administration of the Sacraments in the Diocese of Rochester*, today, December 8, the Solemnity of the Immaculate Conception, **which becomes effective on December 30, 2016, the Feast of The Holy Family of Jesus, Mary and Joseph.**

On this same date, December 30, 2016, the Ritual Edition of the *Order of Celebrating Matrimony, Second Edition*, becomes effective (cf. e-mail notifications of September 2, 2016, December 2, 2016, and the Minutes of the Meeting of the Diocesan Presbyteral Council, September 7, 2016). The Introduction of this revised ritual for marriage provides a beautiful catechesis on the theology and nature of marriage to assist us in our vocation to bring the life of Christ to those to whom we are privileged to minister, in this instance those beginning their new life as husband and wife. In the Introduction we read: “Through this Sacrament the Holy Spirit brings it about that, just as Christ loved the Church and gave himself up for her, Christian spouses also strive to nurture and foster their union in equal dignity, mutual giving, and the undivided love that flows from the divine font of charity.” (*Order of Celebrating Matrimony, Second Edition, Introduction*, number 9).

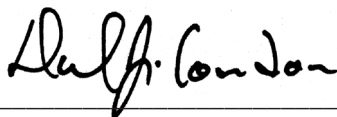
Invoking the intercession of Our Mother Mary, Saint Joseph, her spouse, and our Patron, Saint John Fisher, I unite with you in prayer that all our ministry is guided by the supreme law of the Church, *lex suprema, salus animarum, the supreme law is the salvation of souls* (canon 1752 of the *Code of Canon Law*).

Given at the Chancery Office of the Diocese of Rochester on the eighth day of December in the year of Our Lord two thousand and sixteen, on the Solemnity of *The Immaculate Conception*.



The Most Reverend Salvatore R. Matano
Bishop of Rochester

Attested to by:



The Reverend Father Daniel J. Condon
Chancellor

7. MARRIAGE

“Mutual self-giving in the Sacrament of Matrimony is grounded in the grace of Baptism, which establishes the foundational covenant of every person with Christ in the Church. In accepting each other, and with Christ’s grace, the engaged couple promise each other total self-giving, faithfulness and openness to new life.” (*Amoris Laetitia*, 73).

“The intimate community of life and love which constitutes the married state has been established by the Creator and endowed by him with its own proper laws.... God himself is the author of marriage.’ The vocation to marriage is written in the very nature of man and woman as they came from the hand of the Creator. Marriage is not a purely human institution despite the many variations it may have undergone through the centuries ‘The well-being of the individual person and of both human and Christian society is closely bound up with the healthy state of conjugal and family life.’” (CCC, no. 1603).

“The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring; this covenant between baptized persons has been raised by Christ the Lord to the dignity of a Sacrament.” (CIC, c. 1055, §1).

7.1 GENERAL PRINCIPLES

- Couples who marry understand and accept that a valid marriage is the faithful, indissoluble, life-long partnership that is ordered to the welfare of the spouses and the procreation and formation of children. (Cf. *Order of Celebrating Matrimony*: Second Typical Edition, ©2016, 1-3). This understanding of marriage is foundational since it has been established by God the Creator, “the Author of Marriage, who ordained it to be endowed with its own goods and ends.” (*Order of Celebrating Matrimony*, 4).
- “Through this union, [husband and wife] experience the meaning of their oneness and attain to it with growing perfection day by day. As a mutual gift of two persons, this intimate union, as well as the good of the children, imposes total fidelity on the spouses and argues for an unbreakable oneness between them.” (*Gaudium et Spes*, 48).
- Sacramental matrimony is the union of a baptized man and baptized woman who freely contract a life of love with each other in Christ. The Church recognizes this covenant as permanent and exclusive. (Cf. *CIC*, c. 1055 – 1057; *CCC*, no. 1638).
- When one party/both parties in a marriage is/are Catholic, the couple follow the norms and laws of the Catholic Church governing Christian marriage.

7.2 CANDIDATES FOR MARRIAGE

- “Pastors of souls and other members of the Christian faithful, according to their respective ecclesiastical function, have the duty to take care that those who seek the Sacraments are prepared to receive them by proper evangelization and catechetical instruction, attentive to the norms issued by the competent authority.” (*CIC*, c. 843).
 - The ability to exercise one’s right to a Sacrament is moderated by three conditions: the Sacrament is requested at an appropriate time, the parties are properly disposed, and they are not prohibited by law. (Cf. *Lumen Gentium*, 37; *CIC*, c. 843).
- “The right to marry, *ius connubii*, ... is not a subjective claim that pastors must fulfill through a merely formal recognition independent of the effective content of the union. The right to contract marriage presupposes that the person can and intends to celebrate it truly, that is, in the truth of its essence as the Church teaches it. No one can claim the right to a nuptial ceremony. Indeed the *ius connubii* refers to the right to celebrate an authentic marriage.” (*Address to the Roman Rota*, Pope Benedict XVI, 2011).
- Persons must possess freedom, the minimal psychological capacity to establish and nurture an intimate partnership of life, sufficient knowledge of the nature of this partnership, and the intention to undertake it.
- Complementarity: Marriage is a unique union, a relationship different from all others. It is the permanent bond between one man and one woman, as revealed by God at birth, whose two-in-one-flesh communion of persons is an indispensable good at the heart of every family and every society... Male-female complementarity is intrinsic to marriage. It is naturally ordered toward authentic union and the generation of new life. (Cf. *Amoris Laetitia*, 52, 56, 251; *USCCB Marriage Initiative*: www.foryourmarriage.org).

7.2.1 Faith Matters

- The faith of non-practicing /nominally practicing Catholic(s) seeking marriage in the Church can exist in varying degrees. “It is the primary duty of pastors to facilitate a rediscovery of this faith, nourishing it and bringing it to maturity.” (*Familiaris Consortio*, 68).
 - It is essential to differentiate between a lack of catechesis and/or non-practice of the faith from a direct rejection of the faith. Rejection of the faith means that someone sees no value in the faith, does not believe and does not wish to believe.
 - Defection from the Faith – Even if one party has defected from the Catholic faith by a formal act, he/she remains bound by canonical form. (*Omnium in Mentem*, motu proprio of Pope Benedict XVI, October 26, 2009).
 - “If every effort fails, and an engaged couple openly and expressly demonstrate that they reject what the Church intends when the Marriage of baptized persons is celebrated, the pastor of souls is not permitted to celebrate the Sacrament. Though reluctant, he must take note of the situation and convince those involved that, in these circumstances, it is not the Church, but they themselves, who prevent the celebration they are asking for.” (*Order of Celebrating Matrimony*, 21; Cf. *Familiaris Consortio*, 68).
- “Catholics who have not yet received the Sacrament of Confirmation are to receive it before they are admitted to marriage if it can be done without grave inconvenience.” (*CIC*, c. 1065, §1).
 - A Catholic who has not received all of the Sacraments of Initiation should be encouraged and assisted to do so by joining a parish-based adult Confirmation program, or through private instruction.

- o The Sacrament of Confirmation may be administered at a regularly scheduled Confirmation ceremony with the Diocesan Bishop or by the pastor/parochial vicar after requesting, **in writing**, the faculty to confirm in a particular instance.
- Couples entering interchurch, interfaith, or interreligious marriages are urged to learn about their future spouse's faith for greater understanding, mutual respect, and family harmony. While recognizing the complexity of the profession of faith of the Catholic party and the profession of a different faith/lack of profession of faith of the other party, the *Code of Canon Law* and liturgical rites are specific about what dispensations and rites are needed.
 - o In an interreligious marriage, the Catholic party must make a sincere promise to be faithful to the Catholic Church and raise his or her children in the Catholic faith. (Cf. *CIC*, c. 1125, 1°).
 - o The non-Catholic party is to be informed of the promise, so that he or she is aware of the promise and obligation the Catholic party has made. (Cf. *CIC*, c. 1125, 2°).

7.2.2 Marriage Licenses in the State of New York

- Priests and deacons are designated as civil servants of the State of New York to witness marriages. Priests and deacons of the Diocese of Rochester are not to knowingly witness a marriage of a couple without a marriage license.
- It is the responsibility of the engaged couple to obtain a New York State Marriage License. The license should be received by the priest /deacon officiating at the ceremony no later than the wedding rehearsal the day prior to the wedding. The information below is helpful to the couple:
 - o A couple who intends to be married in the Diocese of Rochester must apply in person to any town or city clerk in the state. The application for a license must be signed by both applicants in the presence of the town or city clerk.
 - o The marriage ceremony may not take place within 24 hours from the exact time that the license was issued.
 - o A license costs \$60 and is valid for 60 calendar days, beginning the day after it is issued.
 - o More information is available at: www.health.ny.gov/publications/4210

7.3 MARRIAGE PREPARATION

- In accord with the prescriptions of canon 1067 of the *Code of Canon Law*, and with due regard for canon 1068, the *United States Conference of Catholic Bishops* decreed on December 1, 2000, the following norms for all Latin Rite dioceses:
 - o *"The couple should receive appropriate education and pastoral preparation through participation in a marriage preparation program approved by the diocesan bishop;*
 - o *Parties should be questioned as to their freedom to marry;*
 - o *Baptized Catholics should present a recently issued annotated baptismal certificate;*
 - o *Where necessary, additional documentation (such as affidavits of parents) attesting to a Catholic party's freedom to marry should be presented;*
 - o *Baptized non-Catholics should present satisfactory proof of baptism and freedom to marry;*
 - o *Unbaptized persons should present satisfactory proof of freedom to marry;*
 - o *Preparation for marriage should be in conformity with the prescriptions of canon 1063*

(regarding what must precede marriage) and canons 1064, 1071, 1072, 1086, §2, and 1125, which entrust certain situations to the special care of local ordinaries;
o Preparation for marriage should be in compliance with appropriate civil laws.”

- “So that the ‘I do’ of the spouses may be a free and responsible act, and so that the marriage covenant may have solid and lasting human and Christian foundations, preparation for marriage is of prime importance.” (CCC, no. 1632).
- Priests, deacons and those assisting in marriage preparation “need to help young people discover the dignity and beauty of marriage.” (*Amoris Laetitia*, 205).
- “Marriage preparation should be a kind of ‘initiation’ to the Sacrament of Matrimony, providing couples with the help they need to receive the Sacrament worthily and to make a solid beginning of life as a family.” (*Amoris Laetitia*, 207).
 - o “Married couples are grateful that their pastors uphold the high ideal of a love that is strong, solid, enduring and capable of sustaining them through whatever trials they may have to face.” (*Amoris Laetitia*, 209).
- Couples should be given helpful resources, including the website, www.foryourmarriage.org which is an initiative of the *United States Conference of Catholic Bishops* (USCCB), as well as other resources offered through the Diocesan Office of Evangelization and Catechesis, which are continually being reviewed and enriched.
- There are many societal and family factors (both positive and negative) that influence and informally prepare a person for marriage. The priest/deacon or pastoral staff member is responsible for entering into a dialogue with the couple on the fundamental principles of Christian marriage, including Freedom of Consent, Unity, Indissolubility, Fidelity, Covenant, the Good of the Spouses, and Welcoming/Educating Children).
 - o Given the high rates of divorce and premarital cohabitation in society, as well as the need for young people to better understand marriage as a Sacrament that is permanent, exclusive and open to the gift of children, pastoral care to engaged couples is of special concern to priests, deacons, parish staff/religious educators. “The safeguarding of the Lord’s gift in the Sacrament of Matrimony is a concern not only of individual families but of the entire Christian community.” (*Amoris Laetitia*, 87).
- Regardless of the location of the wedding ceremony, a couple is bound to the marriage preparation policy of the diocese where the Catholic party(ies) live(s), since that is where they have domicile.
 - o In addition to the fulfillment of the marriage preparation, this also provides the couple with the opportunity to be properly welcomed and incorporated into a parish where they are living.
 - o Residents of the Diocese of Rochester getting married in another diocese must complete the marriage preparation of the Diocese of Rochester.
 - o The prenuptial file is sent to the Office of the Chancellor of the Diocese of Rochester for transfer to the offices of the diocese where the wedding will occur.
 - The Chancery should receive the prenuptial file at least **6 weeks** prior to the wedding.
 - Marriage files should never be sent directly from parish to parish.
 - o Should both parties be Catholic and they live in different dioceses, they fulfill the

requirements of either diocese for their marriage preparation and must meet that same diocese's corresponding requirements.

- “Inasmuch as it is a sacramental action of sanctification, the liturgical celebration of marriage . . . must be, per se, valid, worthy, and fruitful.” (CCC, no. 1622). It is therefore appropriate for the bride and groom to prepare themselves for the celebration of their marriage by receiving the Sacrament of Penance/Reconciliation, “which allows them to bring their sins and past mistakes, and their relationship itself, before God, and to receive in turn his merciful forgiveness and healing strength.” (*Amoris Laetitia*, 211).

7.3.1 Time

- A minimum of six months preparation is necessary to properly ensure the pastoral care of the couple, to prepare spiritually for matrimony and to help them to understand and accept the blessings and demands of married life.

7.3.2 Initial Meetings with Priest /Deacon/ Parish Staff

- While many practical plans need to be addressed, a welcoming and understanding pastoral presence provides a suitable opportunity for evangelization, and creates a positive attitude toward the Church.
 - The initial session should include a preliminary assessment of the couple's readiness for marriage and the determination of any special circumstances in this particular situation. **No date for the wedding should be set until the conclusion of this first meeting.**
- Initial Session(s) with the priest / deacon and others concerned for couple's preparation provides understanding and appreciation for the Sacrament, in which freedom and readiness to marry is ascertained. (see 7.4 *Obtaining Necessary Information*). This must be done prior to establishing the date of the wedding, which shall be confirmed only after the assessment has been made.
 - If this involves a couple with other circumstances (i.e., one or both having a previous marriage, senior couples, couples that have been married civilly for some time, etc.), the elements of the preparation include sessions with a priest or pastoral minister, as well as an instrument and event that seems best suited to the needs of the couple.
 - If in a particular circumstance participation in the above prescribed marriage preparation program is impossible or extremely inconvenient (e.g., military service, academic study, or different locales), the couple, in cooperation with the priest or deacon who will witness the marriage, may take part in any marriage preparation program approved for use. In such a case, the couple is to present to the priest or deacon verification of their participation in the preparation program. However, it is the responsibility of the priest or deacon witnessing the marriage to ascertain that each party is prepared to marry.
 - If language is an obstacle, this preparation can be assisted through trained laity in other appropriate ways. Contact the Office of Evangelization and Catechesis for assistance.

7.3.3 Fully Engaged Pre-Marriage Inventory

- Administration of *Fully Engaged*, a premarital inventory, is a required component for marriage preparation taking place in the Diocese of Rochester. The priest/deacon or trained pastoral

staff member administers the *Fully Engaged* inventory tool and schedules further sessions with the engaged couple for interpretation.

- Subsequent follow-up meetings with the couple to review the answers provide the priest / administrator, and others who assist in the ministry, the opportunity to teach, encourage, and draw the couple closer to Jesus Christ and the Church.
 - For guidance on working with inventories, marriage preparation ministers should consult with the Office of Evangelization and Catechesis.
- It is important for parishes to have qualified staff/volunteers trained and available to assist the couples when they approach the parish seeking marriage.

7.3.4 Pre-Cana

- Successful attendance at and completion of Pre-Cana is required. The certificate is to be included in the marriage file.

7.4 OBTAINING NECESSARY INFORMATION (completion of the documentary procedures)

- Each pastor/administrator has the obligation to prepare, with the assistance of others, if needed, the engaged couple according to teachings of the Catholic Church and the Roman Catholic Diocese of Rochester's *Policies for the Administration of the Sacraments*.
 - Pre-nuptial investigation forms and marriage dispensation forms are obtained from the Office of the Chancellor. These forms should be completed and current baptismal certificates received well before the celebration of the Sacrament.
 - The pre-nuptial investigation is the vehicle to determine that "Before marriage is celebrated, it must be evident that nothing stands in the way of its valid and licit celebration." (*CIC*, c. 1066).
 - If a parishioner is marrying in another parish, the pastor / administrator of the Catholic party grants permission, in writing, for the parishioner to marry in another parish.

7.4.1 Freedom to Marry

- Before a date is set for the wedding, it is essential to determine if either party has any prior bonds. If a prior bond exists, do not start marriage preparation. By starting marriage preparation prematurely, false hope may be given about the couple's future freedom to marry, since a declaration of nullity cannot be presumed. (**See 7.4.3 Prior Bond**).
- If either (or both) party is not well-known to the priest/deacon or pastoral leader, an *affidavit of freedom to marry* should be requested.
 - If deemed suitable by the pastor / administrator, the banns of marriage for two Catholics may be posted.
 - In the case of a Mixed Marriage, the pastor / administrator of the Catholic party may post the banns of marriage, but does so without indicating the religion / non-religion of the non-Catholic party.
- If the bride or groom has previously received a *Declaration of Nullity*, she/he must provide a copy of the decree which is to be placed in the pre-nuptial file.

- If a party's previous spouse is deceased, a certified death certificate is obtained and added to the prenuptial file.

7.4.2 Impediments and Circumstances that Invalidate Consent

- Specific, identifiable circumstances may be present which indicate a need for further assessment and growth before the final decision is made to proceed with the marriage.
 - Some impediments are resolved simply by obtaining the proper dispensation from the Local Ordinary.
 - Other impediments can take months or years to resolve.
 - Still other impediments have their origin in Divine law or natural law and cannot be dispensed.
 - In all cases, pastoral care is warranted. For clarification on how to proceed with the preparation for marriage of couples presenting unusual or complicated circumstances/impediments, contact the Office of the Chancellor.
- Those who are prohibited by ecclesiastical law from marriage are those with an impediment to marry. Some impediments to marriage **can be dispensed**:
 - Insufficient age. Prior to 16 for men, prior to 14 for women. (Cf. *CIC*, c. 1083).
 - Disparity of Cult: one Catholic and one unbaptized party. (Cf. *CIC*, c. 1086; 1125, 1126).
 - Holy Orders: Diaconate or Sacred Priesthood. (Cf. *CIC*, c. 1087).
 - Public Perpetual Vow of Chastity in a Religious Institute. (Cf. *CIC*, c. 1087).
 - Abduction. (Cf. *CIC*, c. 1089).
 - Crime: when a person conspires to kill his/her spouse in order to be free to marry again. (Cf. *CIC*, c. 1090).
 - Affinity: the couple is too closely related by another's marriage. (Cf. *CIC*, c. 1092).
 - Public Propriety. (Cf. *CIC*, c. 1093).
 - Adoption: the couple is too closely related due to an adoption. (Cf. *CIC*, c. 1094).
- Those who are prohibited by ecclesiastical law from marriage are those with an impediment to marry. The following impediments to marriage **cannot be dispensed** since they originate in Divine law or natural law:
 - Impotence: In order to enter validly into marriage, both parties to the marriage must be able to complete the marriage act. (*Note*: this is NOT sterility.) Impotence is the incapacity of a spouse to perform the conjugal act. (Cf. *CIC*, c. 1084). In such cases, pastoral counselling is essential and the Office of the Chancellor should be consulted.
 - Prior Bond/*Ligamen*: A party who has already contracted marriage with another person (even if they have obtained a civil divorce), the person must have his/her matrimonial situation investigated through the annulment process before setting a date for a new marriage or starting marriage preparation. (Cf. *CIC*, c. 1085). (**See 7.4.3 Prior Bond**).
 - Consanguinity: the couple is too closely related by blood (i.e. first cousins). Marriage is never permitted in the direct line (among direct ancestors and descendants); in the collateral line within the fourth degree. (Cf. *CIC*, c. 1078, 1091).
- Valid consent requires the harmonious interaction of the person's faculties. Since consent is an act of the will, all defects of consent ultimately invalidate a marriage because of their impact on the will. The following are circumstances which invalidate consent:
 - Consensual incapacity (Cf. *CIC*, c. 1095).
 - Ignorance (Cf. *CIC*, c. 1096).

- o Error about the person (Cf. *CIC*, c. 1097).
 - o Fraud (Cf. *CIC*, c. 1098).
 - o Error of law: unity, indissolubility or sacramentality (Cf. *CIC*, c. 1099).
 - o Simulation of consent (Cf. *CIC*, c. 1101).
 - o Future condition (Cf. *CIC*, c. 1102).
 - o Force and fear (Cf. *CIC*, c. 1103).
- Practical knowledge of these issues can assist the couple in their discernment process and their preparation for marriage.
 - o In some instances, however, a Sacrament will not be able to be received at the present time, either because of some obstacle such as a *Vetitum*, *Monitum* or a *Delay* which may accompany a Declaration of Nullity; a censure after the imposition or declaration of the penalty, or because an individual is obstinately persevering in manifest grave sin; or because the pastoral judgment is reached that a person or a family is not yet sufficiently prepared for the new bond “This critical moment can be an occasion for healing and renewal; or it can become a cause for irreparable separation. Then, the parish priest should explain that the Sacrament requested is **only deferred** until the obstacle is removed or sufficient preparation is accomplished and evidence of faith is presented.” (*Diocese of Rochester, Policies for the Administration of the Sacraments*, General Principles: Key Policy Statements).

7.4.3 Prior Bond

- If one party has exchanged marital consent before, in any setting or by any rite, religious or secular, and now wishes to marry in the Catholic Church, **no date for the wedding may be set until this process is complete:**
 - o Obtain a copy of the *Declaration of Nullity*, which must be placed in the prenuptial file.
 - o If the spouse is deceased, a death certificate must be added to the prenuptial file.
 - o If the party, or prior spouse was Catholic and was not married observing the canonical form of marriage, a declaration for lack of form or defect is placed in the prenuptial file.
- When the nullity of all previous exchanges of vows has been established through the Diocesan Tribunal, the couple should attend the marriage preparation process offered by the Diocese for those with prior bonds. Information is available through the Office of Evangelization and Catechesis.

7.4.4 Dispensations and Permissions

- Once a couple’s freedom to marry has been established, determine if any dispensations (affecting validity) or permissions (affecting licity) will be needed.
 - o In requesting a dispensation or permission:
 - the proper form(s) from the Office of the Chancellor must be completed,
 - the Catholic party is identified,
 - the specific dispensation or permission the Catholic party is seeking, and-the reason(s) the Catholic party is seeking it.
- The following are the possible dispensations and permissions that can be granted:
 - o *Dispensation for Disparity of Cult*: This is required when a Catholic marries an unbaptized person and is necessary for the validity of the marriage.

- This dispensation is also required for a Catholic to marry a non-Catholic party of an ecclesial community that does not perform baptisms recognized as valid by the Catholic Church, the most common being:
 - Jehovah's Witnesses
 - Church of Jesus Christ of the Latter Day Saints (Mormons)
 - Pentecostals *(note: a very few *may* be valid)
 - Quakers
 - Salvation Army
 - Unitarians
 - Christian Scientists.

N.B. Contact the Chancery / Tribunal with questions about the validity of a Baptism.

- o *Dispensation for Disparity of Cult ad catelam*: This is requested when the validity of a Baptism cannot be proven through documentation.
- o *Dispensation from Canonical Form*: "Only those marriages are valid which are contracted before the local ordinary, pastor, or a priest or deacon delegated by either of them, who assist, and before two witnesses." (*CIC*, c. 1108, §1). This requirement applies whenever there is at least one Catholic in the marriage.
 - If there is a good reason for a couple not to be married according to the Canonical Form of marriage, the Catholic party may request a *Dispensation from Canonical Form*. This dispensation for two Catholics is reserved to the Holy See. (Pontifical Commission for the Authentic Interpretation of the *Code of Canon Law*, Response 8, January, 1985).
 - N.B.** Even if an individual no longer considers himself/herself a Catholic, if he/she was baptized or received into the Catholic Church, he/she is bound by Canonical Form. (**See 7.2.1 Faith Matters**).
 - If a *Dispensation from Canonical Form* is granted, the marriage takes place outside a Catholic church.
 - N.B.** The principle to be followed is that the proper ecclesial minister of the church in which the marriage is celebrated is the officiant.
 - If a *Dispensation from Canonical Form* is granted, a Catholic cleric may **attend** the marriage ceremony and, if requested, offer a prayer reflecting the Catholic faith. The cleric's presence assures the Catholic faithful that the marriage is being celebrated in accordance with the consent of the Church. (Cf. 7.6.4).
 - The Office of the Chancellor is to be notified that the marriage has taken place; the marriage is recorded in the parish register of the Catholic party and the marriage file is retained there. (Cf. *CIC*, c. 1121, 1122, §2).
- o "It is forbidden to have another religious celebration of the same marriage to give or renew matrimonial consent before or after the canonical celebration. Likewise, there is not to be a religious celebration in which the Catholic who is assisting and a non-Catholic minister together, using their own rites, ask for the consent of the parties." (*CIC*, c. 1127, §3).
- o *Permission for Mixed Religion*: Required when a Catholic intends to marry a baptized non-Catholic.
 - "Because of problems concerning Eucharistic sharing which may arise from the

presence of non-Catholic witnesses and guests, a mixed marriage celebrated according to the Catholic form ordinarily takes place outside the Eucharistic liturgy.” (*Directory for the Application of Principles and Norms on Ecumenism*, 159).

- Only for a just cause may the Diocesan Bishop permit the marriage to take place during the celebration of Mass and such permission is requested and granted in writing. (Cf. *Directory for the Application of Principles and Norms on Ecumenism*, 159).
- o *Permission for Marriage Outside a Sacred Place*: “A marriage between Catholics, or between a Catholic party and a baptized non-Catholic, is to be celebrated in the parish church.” (CIC, c. 1118, §1).
 - A marriage between a Catholic and a baptized non-Catholic, or between a Catholic and an unbaptized party, may be celebrated in a church or in another suitable place with permission. (Cf. CIC, c. 1118).
 - The Diocesan Bishop determines “suitable places” for weddings to occur and which require his permission. (Cf. CIC, c. 1118, §2).
 - For a pastoral reason, permission may be granted to a Catholic wishing to marry a non-Catholic in a non-Catholic church or sacred place with a properly delegated Catholic priest or deacon officiating (no *Dispensation from Canonical Form* would also be required).
 - With regard to the use of university or college chapels for the celebration of a wedding, priests and deacons are requested to contact the Office of the Chancellor.
- o Deans (Vicars Forane) do not possess the faculty to grant permissions or dispensations.
- When all is prepared and the priest/deacon has failed to obtain a dispensation or permission, contact the Judicial Vicar, the Vicar General, the Chancellor or the Diocesan Bishop.

7.4.5 Delegation

- A cleric acquires the faculty to witness marriages by his assignment, by mandate of the Diocesan Bishop, or by delegation. A priest or deacon who has the faculty to witness marriages exercises that faculty only within the territorial boundaries of the parish to which he is assigned.
 - o Clergy who have the faculty to witness marriages by office are pastors/ administrators in the Diocese of Rochester, parochial vicars, deacons assigned to the parish where the wedding will take place
 - o Information about a priest’s or deacon’s faculty to celebrate weddings can be found in the Diocesan *Pagella* (faculty handbook) and the priest’s or deacon’s individual appointment letter.
 - o If there is a visiting priest or deacon from outside the parish presiding at a wedding, he must receive delegation, in writing, on the Prenuptial Investigation form, from the pastor or parochial vicar of that parish, or from the Diocesan Bishop, Vicar General or Chancellor of the Diocese. N.B. To officiate at a wedding without the proper delegation results in an invalid marriage.
 - A recently issued *Affidavit of Suitability* from the cleric’s proper bishop or religious superior must be sent directly to the Office of the Chancellor and copied to the parish.

7.4.6 Recording of Marriage and Notifications to Sacramental Records

- The obligation of keeping the marriage records is that of the pastor/administrator.
 - o After a marriage has been celebrated, the pastor/administrator of the place of celebration, even if he has not assisted at the marriage, should as soon as possible note the following in the marriage register: the names of the spouses, the person who assisted and the witnesses, the place and date of the marriage celebration. (Cf. *CIC*, c. 1121, §1).
 - Even though the recording of marriages may be done by the parochial vicar, the deacon or some other person, the pastor/administrator must ensure that the proper recording is being done and is verified for accuracy. The record is an authentic ecclesiastical document about the matters to which it attests; therefore, it must be accurate in every respect.
 - All records are to be kept in the place of celebration, that is, in the archives of the parish church within whose territorial boundaries the marriage took place. The only exception concerns marriages celebrated outside the territorial boundaries of the parish of the Catholic party with a *Dispensation from Canonical Form*. (See 7.4.4 *Dispensations and Permissions*).
- “The contracted marriage is to be noted also in the baptismal registers in which the baptism of the spouses has been recorded. If a spouse did not contract marriage in the parish in which the person was baptized, the pastor of the place of the celebration is to send notice of the marriage which has been entered into as soon as possible to the pastor of the place of the conferral of baptism.” (*CIC*, c. 1122, §1, §2).
- If a Mixed Marriage is celebrated with a *Dispensation from Canonical Form*, it is the responsibility of the priest/deacon who obtained the *Dispensation from Canonical Form* to do the recording and notifications. The recording and notifications of the marriage are to be made in the following manner:
 - o The pre-nuptial documents are to be filed at the Catholic’s parish church and the marriage is recorded in the sacramental register of the Catholic parish of the Catholic party.
 - o Notice of the marriage is sent to the church of Baptism of the Catholic party.
 - o The Office of the Chancellor which granted the dispensation is to be notified.
 - o The couple should be made aware of the parish where the records are being kept. (Cf. *CIC*, c. 1121, §3).

7.4.7 Eastern Rite Catholics

- There are Churches *sui iuris* in the Catholic Church; the largest of these is the Latin Church. The other are Eastern Catholic Churches, which are in full communion with the Roman Catholic Church and the Supreme Pontiff; all of their Sacraments are valid and licit. The Diocese of Rochester is a Latin Catholic Diocese and does not have jurisdiction over the other Eastern Churches *sui iuris*.
 - o A Latin Catholic may marry an Eastern Catholic in that Catholic’s Eastern Church, and vice versa without a dispensation or permission. All parties are Catholic and as long as the person marrying them belongs to the Church *sui iuris* of at least one of the parties, the marriage is valid.

- o If an Eastern Catholic couple approaches a Latin priest for marriage and neither of the parties is of the Latin Church, the Latin priest does not have the faculty to witness their marriage, without the faculty granted by the Diocesan Bishop. (Cf. *CIC*, c. 1116, §3). Permission is necessary for an Eastern Catholic to be married using the Latin Rite. Please contact the Office of the Chancellor in this situation.

7.4.8 Eastern Orthodox Churches

- The Orthodox Churches are not in union with the Catholic Church, however, their Sacraments are considered to be valid.
- If a Catholic seeks to licitly marry an Orthodox Christian in the Orthodox Church, they must petition for a *Dispensation from Canonical Form* and *Permission for Mixed Marriage*.
- If a Catholic wishes to marry an Orthodox Christian in the Catholic Church, only *Permission for a Mixed Marriage* is necessary.
- To be married in an Eastern Catholic Church or Orthodox Church, the consent of the couple must be received by a priest for the validity of the marriage. Deacons cannot witness a marriage in the Eastern Churches due to the form requirement of the priestly blessing, which is required for validity. (Cf. *CIC*, c. 1108, §3; 1127, §1; *Code of Canons of the Eastern Churches*, c. 828).
- “In addition to the provisions established in §1, nn. 1 and 2, the local ordinary can confer to any Catholic priest the faculty to bless the marriage of the faithful Christians of the Eastern Churches who are not in full communion with the Catholic Church if they request it spontaneously, and provided there is nothing to preclude the valid and licit celebration of the marriage. The same priest, however, with the necessary prudence, shall inform the competent authority of the interested non-Catholic Church of the case.” (*CIC*, c. 1116, §3).

7.4.9 Convalidation of Marriage

- A Convalidation occurs in instances in which an invalid marriage is made valid in accordance with the norms of the Church. Invalidity often occurs when one or both of the couple is/are Catholic, and attempted marriage contrary to the Church’s canonical laws without a dispensation.
- To convalidate a marriage which is invalid, it is required that the impediment which rendered it invalid ceases or is dispensed.
- A Convalidation requires all elements of Canonical Form; namely a new exchange of the marriage vows before a priest or deacon, according the *Order of Celebrating Matrimony*.
 - o A Convalidation is not a “blessing,” nor a “recognition” of a previous exchange of vows (which were invalid), but, through the new exchange of vows, creates of a valid marriage through a new exchange of consent. The couple must provide proof of a valid civil marriage.
 - o The couple is to be instructed that a Convalidation is their valid marriage in the Church.
 - o Convalidations require the same marriage preparation process as offered for all couples, including ascertaining their freedom and readiness to marry. In rare circumstances, where the pastor decides to dispense them from portions of the preparation when evaluating the couple’s readiness for marriage, prudential judgement is to be used regarding Pre-Cana, Fully Engaged, etc.

- o A Convalidation is only possible when at least one of the parties was Catholic at the time of a civil ceremony.
 - When neither party was Catholic at the time of consent, they do not need a Convalidation if they later enter the Catholic Church, as their previous exchange of vows is presumed valid. Contact the Office of the Chancellor with any questions.
 - In cases of marriage convalidations and marriages that follow a *Declaration of Nullity* of a previous marriage of one or both spouses, more simple celebrations of Marriage are encouraged.
- Due to an extraordinary situation (**in very rare cases**), an essential element is identified as missing which affects the validity of the Sacrament and it is not possible for the couple to again exchange their vows, a Radical Sanation (*sanatio in radice*) may be sought from the Diocesan Bishop that retroactively renders valid a marriage that was invalid from its origin without the renewal of consent by either party, provided that both the man and woman were free to marry at that time and that their mutual consent continues from the invalid wedding ceremony. (Cf. *CIC*, c. 1161-1165).
 - o Priests and deacons should contact the Office of the Chancellor for additional guidance.
 - o N.B. Sanations should only be sought in extraordinary circumstances, and never anticipated when ministering to a couple.

7.5 PASTORAL GUIDANCE FOR PARTICULAR MARRIAGE SITUATIONS

- Recognizing the pastoral realities of Catholic marriages today, several pastoral situations present themselves with regularity, each having particular requirements of the couple and the priest / deacon and others assisting them in marriage preparation.

7.5.1 Marriage Between Two Catholics

- Marriages are to be celebrated in a parish church where either of the parties reside, or has quasi-domicile, or month long residence or, if it concerns transients, in the parish where they actually reside. With the permission of the proper pastor, marriages can be celebrated in another church. (Cf. *CIC*, c. 1115).
 - o Parish registration is not a pre-requisite for marriage in the Catholic Church, but can be an effective invitation to participate more fully in parochial life.
 - o If either party is not well known to the priest/deacon or pastoral leader, an *affidavit of freedom to marry* should be requested
 - o Weddings between two Catholics take place in a Catholic church.
 - Weddings may also take place in designated locations approved by the Diocesan Bishop such as college/university chapels. In this case, *Permission for Marriage Outside a Sacred Place* is needed. (See 7.4.4 *Dispensations and Permissions*).

7.5.2 Marriage between a Catholic and an Unbaptized Person

- Before entering a valid marriage in the Catholic Church, this circumstance REQUIRES:
 - o A dispensation from *Disparity of Cult* granted and recorded at the Catholic parish.
 - o Receiving the promise of the Catholic party to live their faith in the Catholic Church and

to do all in his/her power to give the children the Catholic faith, including Baptism. (Cf. *CIC*, c. 1125, 1°).

- o Informing the non-Catholic party of the Catholic's responsibility for the faith formation of the children. (Cf. *CIC*, c. 1125, 2°).
- o "Unbaptized persons should present satisfactory proof of freedom to marry." (*USCCB Complimentary Norms for all Latin Rite Dioceses*, 2000).

7.5.3 Marriage Between a Catholic and a Validly Baptized non-Catholic

- Before entering a valid marriage in the Catholic Church, this circumstance **REQUIRES**:
 - o *Permission for Mixed Religion* to be granted and recorded at the Catholic parish.
 - o Receiving the promise of the Catholic party to live their faith in the Catholic Church and to do all in his/her power to give the children the Catholic faith, including Baptism. (Cf. *CIC*, c. 1125, 1°).
 - o Informing the non-Catholic party of the Catholic's responsibility for the faith formation of the children. (Cf. *CIC*, c. 1125, 2°).
 - o "Baptized non-Catholics should present satisfactory proof of Baptism and freedom to marry." (*USCCB Complimentary Norms for all Latin Rite Dioceses*, 2000).
- In a Mixed Marriage, if a *Dispensation from Canonical Form* has not been granted, the marriage will ordinarily take place in the parish church of the Catholic party. (Cf. *CIC*, c. 1118).
 - o Upon written request, a priest or deacon may be granted permission to perform a Mixed Marriage in a non-Catholic church provided:
 - express, written delegation is obtained;
 - the priest or deacon will be the sole official to ask for and receive the consent of the couple.
 - the priest or deacon will sign the civil license as the officiant.
 - the celebration of Matrimony occurs outside of Mass when the marriage takes place in a non-Catholic church, using the Celebration of Matrimony Without Mass. (See 7.6.7 *The Order of Celebrating Matrimony Without Mass*).
- Only the local Ordinary of the Catholic party has the right to dispense from the Canonical Form in individual cases (received in writing), thereby allowing the Mixed Marriage to take place before a non-Catholic clergyman and two witnesses or, in rare instances, before a civil official and two witnesses. (Cf. *CIC*, c. 1127, §2).

7.5.4 Marriage Between a Catholic and an Orthodox Christian

- Before entering a valid marriage in the Catholic Church, this circumstance **REQUIRES**:
 - o *Permission for Mixed Religion* to be granted and recorded at the Catholic parish.
 - o receiving the promise of the Catholic party to live their faith in the Catholic Church and to do all in his/her power to give the children the Catholic faith, including Baptism. (Cf. *CIC*, c. 1125, 1°).
 - o informing the non-Catholic party of the Catholic's responsibility for the faith formation of the children. (Cf. *CIC*, c. 1125, 2°).
 - o if the ceremony is to take place in the church of the Orthodox Christian, *Dispensation from Canonical Form* must be obtained.

- The Eastern non-Catholic Churches require the presence of a priest whom they consider to be the minister of the Sacrament.
 - o If a Catholic party contracts marriage with a non-Catholic of an oriental rite, the canonical form of the celebration is to be observed only for liceity; for validity, however, the presence of the sacred minister (priest) is required along with the observance of the other requirements of law.” (*CIC*, c. 1127, §1).

7.5.5 Marriage Between a Latin Catholic and an Eastern Catholic

- Before entering a valid marriage in the Catholic Church, this circumstance REQUIRES:
 - o The priest/deacon or pastoral leader to contact the Office of the Chancellor as soon as possible.
 - o A priest must be the official witness. (*CIC*, c. 1108, §3, 1127, §1; *Code of Canons of the Eastern Churches*, c. 828).

7.5.6 Those With No Domicile/Quasi-Domicile in the Diocese of Rochester but the Marriage is Being Celebrated in the Diocese of Rochester (destination marriages)

- Marriage preparation is carried out in the diocese(s) in which the party resides.
 - o Once completed, the pre marriage inventory file and original paperwork is forwarded by the party’s priest/deacon or pastoral leader where they reside to their own Chancery Office, who grants the *visum est* (“to look at carefully”), and then forwards the file to the Diocese of Rochester’s Chancery, who, after granting the *nihil obstat* (“nothing stands in the way”), forwards the file to the parish where the marriage will be held.
 - o The name and address of the parish where the marriage will be celebrated, the name of the celebrant, and the date of marriage are to be clearly indicated.
 - o Marriage files should only be sent from parish to chancery; chancery to chancery; and then from chancery to parish; **files should never be sent directly from parish to parish.**
 - If a marriage file arrives directly from another parish, contact the Office of the Chancellor to ensure all dispensations/permissions have been granted.

7.5.7 Those With Domicile in the Diocese of Rochester, but Who Will Marry in Another Diocese

- Marriage preparation is carried out in the parish in which the party resides, fulfilling the requirements of the Diocese of Rochester.
 - o The pre-marriage inventory and all other necessary paperwork, in original form, are completed by the party’s priest/deacon or pastoral leader and then sent to the Diocese of Rochester’s Chancery Office, who, after granting the *visum est*, forwards the file to the Chancery Office of the Diocese where the wedding will take place. After granting any necessary permissions and/or dispensations, the *nihil obstat* is given and the Chancery Office forwards the entire file to the parish where the marriage will take place.
 - When a marriage takes place in another diocese, the Ordinary of that diocese should be consulted before a dispensation from the Canonical Form is granted. The Diocese of Rochester’s Office of the Chancellor will make this consultation. (Cf. *CIC*, c. 1127, §2).

- It is necessary that the Chancery receive prenuptial files for weddings outside the Diocese at least **6 weeks** in advance of the scheduled wedding date.

7.6 CELEBRATION OF THE MARRIAGE

- “Before a marriage is celebrated, it must be evident that nothing stands in the way of its valid and licit celebration.” (*CIC*, c. 1066).
- “Since Matrimony establishes spouses in a public state of life in the Church, its liturgical celebration is public, taking place in the presence of a priest [or a deacon] and other witnesses.” (*Compendium of the CCC*, no. 343).
 - o In addition to the priest or deacon who serves as an authorized witness, at least two additional witnesses are essential for a valid celebration of marriage. (*CIC*, c. 1108, §1).
- “The festive character of the celebration of Marriage should be suitably expressed even in the manner of decorating the church... no favoritism [should be] shown to private persons or classes of persons.” (*Order of Celebrating Matrimony*, no. 31).
 - o “Here let me say a word to fiancés. Have the courage to be different. Don’t let yourselves get swallowed up by a society of consumption and empty appearances... You are capable of opting for a more modest and simple celebration in which loves takes precedence over everything else.” (*Amoris Laetitia*, 211).
- Every wedding occurs within the Church’s liturgical year. Before planning the wedding liturgy, the liturgical season of the Church must be considered, observing the unique character of the season and the corresponding rubrics.
 - o When a marriage is celebrated during Advent or Lent or other days of penance, the parish priest should advise the couple to take into consideration the special nature of these times. (Cf. *Order of Celebrating Matrimony*, no. 32).
 - o If the marriage is celebrated on a Sunday or a Solemnity, the Mass of the Day is used with the nuptial blessing and, where appropriate, the special final blessing. The Liturgy of the Word is extremely helpful in emphasizing the meaning of the Sacrament and the obligations of marriage. When the wedding Mass may not be used, one of the readings in nos. 67-105 should be chosen, except from Holy Thursday to Easter and on the feasts of Christmas, Epiphany, Ascension, Pentecost, Corpus Christi, and other holydays of obligation. On the Sundays of the Christmas season and throughout the year, in Masses which are not parish Masses, the wedding Mass may be used without change. (Cf. *Order of Celebrating Matrimony*, no. 34, 54).
 - o Scriptural readings, with the approved translations, are never to be replaced by readings from other texts.
 - o “On exceptional occasions and for a just cause, the Bishop of the Diocese may permit a member of another Church or ecclesial Community to take on the task of reader.” (*Directory for the Application of Principles and Norms on Ecumenism*, 133). While maintaining that a Catholic in good standing serve as a reader at a wedding according to Catholic form, permission is granted in exceptional circumstances for a non-Catholic, whose life witnesses to the Word of God, to read with the consent of the pastor/ administrator.
- Eucharistic sharing is not permitted. Therefore, Mixed Marriages are celebrated outside of Mass or, when a *Dispensation from Canonical Form* is granted, outside an ecclesial community’s communion service.

- “The rites prescribed in the liturgical books approved by the Church or received by legitimate custom are to be observed in the celebration of a marriage.” (*CIC*, c. 1119).
 - o Effective December 30, 2016, the use of the *Order of Celebrating Matrimony: Second Typical Edition*, ©2016, is mandated and obligatory.
 - Older versions of the marriage rite (those dated 1969, 1970 or 1991), are no longer permitted to be used and should be properly discarded to avoid confusion.
- The *Order of Celebrating Matrimony: Second Typical Edition*, ©2016, includes the rubrics and texts for incorporating the *option* of the arras (coins) and/or the Blessing and Placing of the Lazo (wedding garland) or the Veil, and should be used as described in the Rite, as applicable.
 - o The exchange of arras, or coins, in the Catholic communities of the Philippines and various Hispanic countries, expresses mutual sharing and the couple’s pledge to be good stewards in the new household.
 - o A lazo is generally a double looped rosary that rests on the shoulders of the couple as a sign of the unity in the vows they have professed.
 - o The veil or shawl placed completely over the bride and over the shoulders of the groom to symbolize that the bride is the center of the new home the couple is about to establish.
 - o The use of a “unity candle” or “unity sand” are not contained in the *Order of Celebrating Matrimony*, and are not components of Catholic liturgy. If the couple wishes to incorporate the unity candle/unity sand into the wedding day, it is most suitable to incorporate it as part of the “Grace Before Meals” at the reception.
 - o Praying for the intercession of the Blessed Virgin Mary and/or the Holy Family are important traditions in the Church. While prayer and presenting flowers to the statue or shrine of a church is a time-honored practice, it is not specifically part of the elements included in the *Order of Celebrating Matrimony*. However, this pious practice, if desired by the bride and groom, certainly may take place once the official Rite of Marriage is completed, specifically following the Prayer After Communion and before the Final Blessing during The Celebration of Matrimony within Mass; or following the Nuptial Blessing and before the Final Blessing during The Celebration of Matrimony Without Mass. A hymn in honor of the Blessed Virgin Mary (e.g., *Ave Maria*) may be sung at this time.
- Photographers and videographers should follow the instructions of the church where the wedding takes place, always being mindful that the church is a sacred place and the wedding is a sacred ceremony.
 - o Photographers and videographers are not to obstruct or interfere with the wedding liturgy or intrude upon the solemnity of what is taking place.
 - o Photo and video related concerns must be discussed well in advance of the ceremony with the priest or deacon who will preside over the ceremony.
- An offering to the parish for weddings is customary according to the current approved Diocesan scale for such offerings. A wedding should never be denied because of an inability to make an offering. (Cf. *CIC*, c. 1181).

7.6.1 Exchange of Consent

- “In the Latin Church, it is ordinarily understood that the spouses, as ministers of Christ’s grace, mutually confer upon each other the Sacrament of Matrimony by expressing their consent before the Church.” (*CCC*, no. 1623).

- “Matrimonial consent is given when a man and a woman manifest the will to give themselves to each other irrevocably in order to live a covenant of faithful and fruitful love. Since consent constitutes Matrimony, it is indispensable and irreplaceable. For a valid marriage the consent must have as its object true Matrimony, and be a human act which is conscious and free and not determined by duress or coercion.” (*Compendium of the CCC*, no. 344).
- The exchange of consent is the essential element in the marriage bond.
 - The form of the exchange of consent must be chosen from the four approved options provided in the *Order of Celebrating Matrimony*. (Cf. *Order of Celebrating Matrimony*, 63, 97, 128).
 - This part of the marriage rite is essential to the Sacrament and there can be no deviation since it is the approved text which provides the form for marriage. Therefore, it is not permissible to alter the prescribed form in any way, substitute other forms, or for the couple to compose their own version of the exchange of consent.
- Marriage is a Sacrament of the living, and is therefore to be received while in the state of grace. “To receive the Sacrament of Marriage fruitfully, spouses are urged especially to approach the Sacraments of Penance and of the Most Holy Eucharist.” (*CIC*, c. 1065, §2; *Order of Celebrating Matrimony*, 18).
- The rehearsal offers another opportunity for evangelization for both the wedding party and the families of the couple to be married. Adequate time should be scheduled so that those unfamiliar with the Mass or Liturgy of the Word will be able to participate fully at the celebration. Additionally, pastoral care should be exercised with the opportunity for those at the rehearsal to receive the Sacrament of Penance/Reconciliation.
- Two witnesses are necessary, who have the use of reason and the capacity to reasonably perceive the marriage. (Cf. *CIC*, c. 1108).
- The priest/deacon witnessing the exchange of consent has the responsibility to ensure that the marriage license has been obtained prior to the wedding rehearsal and is completed and mailed as soon as possible following the ceremony. (Cf. **7.2.2 Marriage Licenses in the State of New York**). Failure to do so is subject to civil penalty.
 - The license should be handed to the priest or deacon before the wedding rehearsal begins, or even earlier to avoid any confusion.

7.6.2 Liturgical Music at Weddings

- “The chants to be sung during the Rite of Marriage should be appropriate and should express the faith of the Church, with attention paid to the importance of the Responsorial Psalm within the Liturgy of the Word. What is said concerning the chants applies also to the selection of other musical works.” (*Order of Celebrating Matrimony*, 30).
- The music which is chosen for the celebration of these rites can play a powerful role in teaching the faithful about the reality of marriage and may provide a catechesis about the Sacrament itself.
- Even when popular/secular music has special meaning to the couple, or those in attendance, such works are inappropriate for use in liturgical celebrations.
 - Music which appeals to the couple personally, and which is of a nonreligious nature, may best be incorporated into another part of the day. (e.g., the wedding reception).
- The use of pre-recorded music “lacks the authenticity provided by the living liturgical assembly

gathered for the Sacred Liturgy” (*Sing to the Lord*, 93) and should not be used within the Church’s liturgies.

- Appropriate music brings a sense of unity and a quality of solemn joy. Therefore, liturgical music must be chosen carefully and all music (both sung and instrumental) must be sacred in nature and purpose. The couple should meet with the parish music director (organist) well in advance of the wedding date and *before* choosing music for the wedding to understand what is appropriate and possible from the rich patrimony of sacred music for the occasion.
- The words should accurately articulate the Catholic faith and express the Sacrament of Marriage’s participation in the Paschal Mystery of Jesus Christ.
 - o Any music associated with situations and activities that contradict Christian values is not permitted because it would offend the Christian community gathered around the couple in faith.
 - Songs of secular origin are always inappropriate for liturgy, and include those from Broadway musicals, movies, or television shows whose associations are secular rather than sacred (i.e. “The Bridal Chorus”, or any pieces that were composed for secular rather than liturgical purposes).
 - o Any music that refers only to the secular nature of love and bears no reference to the Christian concept of love and/or marriage is to be avoided.
- If a wedding program is to be printed and includes the hymns, all reprint permissions must be secured and the proper copyright information must be included in the program. All copyright fees must be paid. It is a serious legal and moral infringement to reproduce copyrighted material without proper permission. Parishes should offer assistance regarding copyright information.
- Music ministers are to receive remuneration according to the current approved diocesan scale for such services, posted and available on Lotus notes. However, the marriage rites should not be diminished because of the inability of the couple to make an offering. In charity, the parish should make adequate provision for music if genuine need is present.

7.6.3 Role of a non-Catholic Minister in a Catholic church

- Upon the request of the couple, a minister of the non-Catholic party may be invited to attend the wedding ceremony.
 - o “In a Catholic liturgical celebration, ministers of other churches and ecclesial communities may have the place and liturgical honors proper to their rank and role, if this is judged desirable.” (*Directory for the Application of Principles and Norms on Ecumenism*, no. 119).
 - o With written permission from the Diocesan Bishop, a non-Catholic minister may participate in this ceremony by reading scripture, preaching, and blessing the couple, but in a manner which respects the canonical form which is the competency of the priest/ deacon. (Cf. *Directory for the Application of Principles and Norms on Ecumenism*, no. 158).

7.6.4 Role of a Priest / Deacon in a non-Catholic church

- With the permission of the Diocesan Bishop, and if invited to do so, a priest or deacon may attend or participate in some way in the celebration of mixed marriage situations where the *Dispensation from Canonical Form* has been granted.

- o In this case, there may be only one ceremony in which the presiding minister receives the marriage vows from both parties.
 - At the invitation of the minister, the priest or deacon may offer other appropriate prayers or read from Sacred Scripture, always witnessing to the Catholic faith.

7.6.5 The Order of Celebrating Matrimony

- The *Order of Celebrating Matrimony* provides three forms for celebrating marriage in the Roman Catholic Church and is decided in consultation with the priest/deacon overseeing the couple's preparation. The options are:

7.6.6 The Order of Celebrating Matrimony Within Mass

- Since the Eucharist is the source and summit of the Christian life (*Lumen Gentium*, 11), and “by which, above all, [the couple’s] charity is nurtured and they are raised up to communion with the Lord and with their neighbor” (*Order of Celebrating Matrimony*, 35), it is the norm when two Catholics marry to exchange vows in the context of Holy Mass.
 - o “There, [at the Eucharistic supper (cf. Revelation 3:20)], spouses can always seal anew the paschal covenant which united them and which ought to reflect the covenant which God sealed with mankind in the cross. The Eucharist is the Sacrament of the new covenant, where Christ’s redemptive work is carried out. (Cf. Lk 22:20). The close bond between married life and the Eucharist thus becomes all the more clear. For the food of the Eucharist offers the spouses the strength and incentive needed to live the marriage covenant each day as a ‘domestic church’.” (*Amoris Laetitia*, 318).
- Since the Most Holy Eucharist is “the wonderful Sacrament... by which the unity of the Church is both signified and brought about,” (*Unitatis Redintegratio*, 2.), “Eucharistic communion is inseparably linked to full ecclesial communion and its visible expression.” (*Directory for the Application of Principles and Norms on Ecumenism*, 129; Cf. *Diocese of Rochester, Policies for the Administration of the Sacraments*, 2.3).
 - o Noting that sad divisions do exist, parishes nonetheless welcome to the Wedding Mass non-practicing Catholics, people of all faiths, or no faith, to come to pray and to rejoice with the couple. Those who may attend Catholic liturgies who are not familiar with Catholic worship and teaching benefit greatly from honest and charitable *guidance* regarding the sharing of Eucharistic Communion.
 - o “Although pastors are ministers of Christ’s Gospel for all, they should, nonetheless, direct special attention to those, whether Catholics or non-Catholics, who never or rarely take part in the celebration of Marriage or the Eucharist...” (*Order of Celebrating Matrimony*, no. 37).
 - The United States Conference of Catholic Bishops’ 1996 statement, *Guidelines for the Reception of Holy Communion* is to be followed. The statement is available at <http://www.usccb.org/prayer-and-worship/the-mass/order-of-mass/liturgy-of-the-eucharist/guidelines-for-the-reception-of-communion.cfm>
- The *Order of Celebrating Matrimony* presumes that the priest who is the Main Celebrant at the celebration of Matrimony within Mass is also the cleric who asks for and receives the consent (vows) of the couple.

- o “One and the same Priest must always exercise the presidential function in all of its parts, except for those parts which are proper to a Mass at which the Bishop is present.” (*GIRM*, 108).

7.6.7 The Order of Celebrating Matrimony Without Mass

- Used when a Catholic marries a validly baptized person from another Christian church or ecclesial community. (Cf. *Order of Celebrating Matrimony*, no. 79).

7.6.8 The Order of Celebrating Marriage Between a Catholic and a Catechumenor or a Non-Christian

- Used when a Catholic marries a Catechumen or a Non-Christian. (Cf. *Order of Celebrating Matrimony*, no. 118).
- This is the proper rite in all Matrimony celebrations involving a Catechumen. “The marriages of Catechumens, whether with other Catechumens or with baptized Christians or even non-Christians, should be celebrated at a Liturgy of the Word and never at the Eucharistic liturgy” (*National Statutes for the Catechumenate for the United States*).

7.7 POST MARRIAGE PASTORAL CARE AND CONCERN

- “Pastors of souls are obliged to take care that the ecclesial community offers assistance... to those already married so that, while faithfully maintaining and protecting the conjugal covenant, they may day by day come to lead holier and fuller lives in their families.” (*CIC*, c. 1063, §4).
- Bishops, priests, deacons, religious, and the whole people of God must make a concerted effort to work ardently and incessantly for the safeguarding and the holiness of marriage, as created by God, so that it may always be lived in its entire human and Christian fullness.
- “In this sense every local Church and, in more particular terms, every parochial community, must become more vividly aware of the grace and responsibility that it receives from the Lord in order that it may promote the pastoral care of the family. No plan for organized pastoral work, at any level, must ever fail to take into consideration the pastoral care of the family.” (*Familiaris Consortio*, 70).
- Ritual celebrations of the engagement or of significant anniversaries can strengthen the couple in their commitment to each other. These celebrations are also occasions to proclaim the Christian values of marriage. Appropriate prayers and the *Order of Blessing a Married Couple within Mass on the Anniversary of Marriage* is included in the *Order of Celebrating Matrimony: Second Typical Edition*, ©2016.

