

# MARRIAGE GUIDELINES

## THE DIOCESE OF HONOLULU

### 1. INTRODUCTION

The Church describes marriage as an intimate partnership of life and love naturally ordered toward the well-being of the couple and toward procreation and nurturing of children. Christ raised marriage between the baptized to the dignity of a sacrament. The grace of the sacrament perfects the love of spouses, sanctifies them and strengthens their union.

Since marriage demands a lifelong commitment, the Church has the pastoral obligation to assist couples to make a prayerful and mature judgment concerning their marriage. These Marriage Guidelines reflect the local Church's love and responsibility for couples who wish to celebrate matrimony within the Church. It also affords an opportunity for evangelization to those couples who have had minimal contact with the parish community.

While the Marriage Guidelines acknowledge a person's right to marry, they also stress the intelligent use of that right which requires the sufficient understanding of marriage with its human and Christian values, and the intention and capacity to assume its responsibilities.

The Marriage Guidelines are divided into three sections: The first addresses some of the pastoral, canonical and liturgical concerns dealing with the couple's preparation; the second deals with the canonical aspects of the celebration of the sacrament; and the third (Appendix) provides the priest/deacon and/or team with some practical suggestions.

### 2. ASSESSMENT OF READINESS FOR MARRIAGE

The proper pastor or priest/deacon who witnesses the couple's marriage has the responsibility to help them assess their readiness and to prepare them for the celebration of the Sacrament of matrimony. The assessment process includes:

- 1) an initial interview;
- 2) referral for professional evaluation and/or counseling, if needed;
- 3) participation in a formal marriage preparation program, namely, the Engaged Encounter Weekend and additional instructional sessions;
- 4) the decision to proceed or delay the marriage.

The minimum period of preparation is four (4) months from the date of the Initial Interview to the date of the marriage.

### 3. ASSESSMENT PROCESS

#### A) INITIAL INTERVIEW

It is important that the attitude of the priest/deacon be positive, caring and pastoral. By being sensitive to their feelings and needs, as well as providing ample time for preparation, he creates an atmosphere of support and mutual trust.

During the Initial Interview the priest/deacon explores the extent of the couple's faith and their relationship. He explains the assessment process and the reasons for it (cf. 2, p. 2) and detects concerns, such as, pregnancy, minor age, a subsequent marriage, etc. (cf. Special Concerns).

At this meeting he also:

- 1) establishes the canonical freedom of both parties to marry and advises the proper procedure to follow if an impediment exists;
- 2) provides the couple with an Engaged Encounter Weekend brochure and explains their responsibility for scheduling a date;
- 3) sets a tentative date for the wedding and explains that the date will be confirmed during or after the assessment process and marriage preparation. He advises the couple that wedding invitations are not to be printed until the date is confirmed
- 4) sets a date for the next appointment.

#### B) REFERRAL FOR PRE-MARRIAGE EVALUATION/COUNSELING

Referral for Evaluation: A referral is recommended when pregnancy exists, if either or both parties are minors or if the priest/deacon desires assistance with a particular couple. The function of the counselor is to help the priest/deacon arrive at an informed pastoral decision regarding the couple's readiness for marriage.

The priest/deacon makes it clear to the couple that this referral is to help evaluate their readiness for marriage in order to insure their happiness and a lasting union. He provides the counselor with pertinent information and assists the couple in arranging an appointment with the counselor.

CAUTION: If there is question regarding the couple's faith commitment, the priest/deacon may wish to discuss this particular problem with the chancellor or vicar forane.

Referral for Counseling: This differs from evaluation in that it attempts to solve a known problem revealed in the **Initial Interview** or Evaluation. The priest/deacon must explain to the couple that counseling will revolve around known problem(s). The number of sessions will depend on the time required to resolve the problem(s), the couple's continued interest in addressing the issue, or the priest/deacon's or counselor's decision to terminate the counseling. The counselor will keep the priest/deacon informed of the progress.

The cost for the evaluation or counseling is borne to a large extent by the couple. If they are unable to pay the fee, the priest/deacon endeavors to help them find financial assistance.

#### C) **MARRIAGE PREPARATION**

Proximate marriage preparation is a requirement for all couples entering marriage. According to the 1983 Code of Canon Law, priests/deacons and the Christian community have the responsibility of assisting couples in this preparation.

In this diocese marriage preparation consists of the **Initial Interview**, attendance at the Engaged Encounter Weekend and at least five additional instructions with the priest/deacon and/or team. One of these sessions is for planning the wedding liturgy and another to clarify any questions or observations the couple may have after making the EE Weekend. The remaining sessions ought to cover various aspects of married life: the vocation of matrimony, marriage as a sacrament, communication, sexuality.

In planning the additional instructions, the priest/deacon will find helpful material in the program entitled Facilitating Open Couple Communication, Understanding and Study (FOCCUS). He is also encouraged to enlist the aid of married couples. There are several programs, including the one mentioned that utilizes this approach; others are listed in the Appendix. He also takes into consideration the couple's circumstances, e.g., premarital pregnancy, religious and ethnic backgrounds, military duty, age differences.

Whatever program is used, the priest/deacon is encouraged to use the competence he has gained from his own pastoral experience. With his interest in people and a willingness to give of himself, the priest/deacon together with the team have an important influence on the couple in their preparation for Sacrament of Matrimony.

ENGAGED ENCOUNTER: The couple is given an Engaged Encounter Weekend brochure at the Initial Interview. Although the cost of the EE Weekend is borne by the couple, this ought not to be a barrier to their participation since parishes are allowed to help with a subsidy. Any questions concerning the EE weekend can be directed to the executive couple whose names appear on the brochure.

The EE Weekend is designed to assist the couple to examine themselves with respect to their strengths and weaknesses; their understanding of marriage as a vocation, their attitudes on morality, sexuality, children, family, finances, and most importantly, their relationship with each other, society and God.

EE Weekend is held at least monthly on Oahu, and periodically on Kauai, Maui and Hawaii.

WAIVER: Ordinarily, a couple is required to make the EE Weekend. If for some reason this is not possible, the priest/deacon carefully weighs the reason(s) for a waiver, make a decision and informs the chancellor or vicar forane of his decision. The vicar forane keeps a record of (1) the couples whose Engaged Encounter requirements were waived (2) the priest/deacon who made the decision, and (3) the parish where the waiver was made. vicar forane submits this record to the Chancery as part of his annual report.

The priest/deacon who decides to waive the EE Weekend assumes the responsibility for the total preparation of the couple.

LITURGICAL PREPARATION: The couple together with the priest/deacon prepare the wedding liturgy and select the rites that best suit the couple's particular status and situation. The priest/deacon has an obligation to develop the couple's awareness of the rites and the options of selecting from a variety of prayers, readings and blessings. The priest/deacon will find it helpful to provide the couple with a copy or outline of the Introduction (Nos. 1 - 18) of the Rites of Marriage and reviews it with them.

In Hawaii there are various cultural traditions which couples may wish to include in wedding ceremonies. If used, it is important that these traditions adhere to the integrity of the rites and not appear as a collection of events unrelated to each other.

When a marriage is celebrated during Advent or Lent, the priest/deacon advises the couple to take into consideration the special nature of these seasons. In the matter of scheduling the ceremony, extreme care must be taken to see that marriages are not celebrated during the Sacred Triduum.

NATURAL FAMILY PLANNING: Marriage preparation provides an opportunity to introduce Natural Family Planning. It allows the couple - whether they have been sexually active prior to marriage or not - to look at sexuality, fertility and mutual responsibility in the context of their lifelong commitment. The priest/deacon may contact the person in charge of the Natural Family Planning program to help with this portion of the preparation.

#### ALTERNATIVE PREPARATION APPROACH:

When the priest/deacon assumes the TOTAL marriage preparation of the couple, it is important that he conscientiously and systematically plans the instructional sessions and faithfully adheres to the appointment dates agreed upon with the couple. The priest/deacon is encouraged to avail himself with one of the programs listed in the Appendix and to involve married couples to assist him in the preparation.

#### D) DECISION DURING THE ASSESSMENT PROCESS

After the priest/deacon has had the opportunity to work with and observe the couple, he will decide whether to proceed with the wedding or not. If the decision is to proceed, he confirms the date, secures all necessary documents from the couple, and completes all forms. In the case of a ~~delayed marriage~~, the priest/deacon must explain the reason(s) for his decision to the couple and the means to resolve the delay. The priest/deacon also informs the couple of their right to appeal and helps them with the process. (cf. No.6 Delayed Marriages; No.7 The Appeal Process).

#### 4. DOCUMENTATION

Before a wedding may take place, the following documents are required:

- 1) Current (not more than six months old) baptismal certificate(s) for the Catholic parties, or the Statement of Reception into the Church for one who has been received into full communion.
- 2) Completed Pre-Nuptial Investigation Forms.
- 3) Statement of freedom to marry, preferably from a parent, close relative or one who has known the person for a long time.
- 4) For a minor (person under 18 years): written permission to marry from parents and chancellor or vicar forane.
- 5) For a widow or widower: marriage certificate of previous marriage and death certificate of deceased spouse.

- 6) For a divorced party: ecclesiastical decree of nullity, marriage certificate of previous marriage and divorce decree.
- 7) For mixed marriage: dispensation from disparity of worship or permission for mixed marriage.
- 8) For wedding in a church of another faith with a minister as official witness: dispensation from canonical form and permission for marriage outside of a church building, if applicable.
- 9) For a marriage in a parish other than that of the bride or groom or Catholic party in a mixed marriage: permission of the proper pastor.
- 10) For a marriage in which the officiating priest is not assigned to the parish where the marriage is to take place: delegation of the proper pastor.
- 11) Marriage license.

## 5. SPECIAL CONCERNS

### A) PREGNANCY

Because of the high rate of divorce in marriages where pre-marital pregnancy existed the couple, the parents, and the priest/deacon must seriously weigh the decision to marry. Consequently, professional evaluation is recommended in cases involving pre-marital pregnancy.

If attendance at the Engaged Encounter Weekend causes embarrassment to the couple, the priest/deacon will conduct the marriage preparation sessions and/or arrange for a trained married couple to assist him

### B) MINORS

In view of the many circumstances adversely affecting marriage today, especially the lack of personal maturity, special care and consideration must be given where minors are concerned. They must be made to understand that marriage is a lifelong relationship and that care must be taken to insure that their union will be a happy and lasting one. The Interview with Minors found in the Appendix may be a helpful tool for determining the couple's readiness.

As a general rule, parents and the priest/deacon attempt to dissuade minors from marrying and suggest that the couple wait until they are at least financially independent and emotionally secure to care for themselves and their children.

The priest/deacon may confer with the judicial vicar, chancellor or vicar forane if he considers making a referral for professional evaluation.

#### Parental Involvement:

If either one of the parties is under 18 years of age (and especially when a pregnancy is involved), the priest/deacon is required to meet with the couple's parents to determine if there is pressure for or objections against the marriage and the reasons for the pressure or objection. He needs to discuss the assessment process with them. The priest/deacon may find the Interview with Parents of Minors in the Appendix helpful.

### C) COHABITING COUPLE

The Church believes that sexual relations attains its highest value in the sacrament of Matrimony. Since we as Church believe this to be God's Will, the Church does not approve of cohabitation prior to marriage. The couple should be counseled to live apart and refrain from sexual relations until marriage.

Recommended Reading: Family, Marriage and "De Facto" Unions issued by the Pontifical Council for the Family (July 26, 2000) printed in Orgins, January 11, 2001, Vol. 30. No. 30.

#### D) MIXED MARRIAGES

These Marriage Guidelines use the term "mixed marriages" to refer to a situation where (1) one party is Catholic and the other is a baptized Christian not in full communion with the Catholic Church and (2) one party is Catholic and the other is non-baptized.

It is important that the priest/deacon discusses with the couple their different religious backgrounds and assists them in addressing and resolving any potential difficulties. He encourages them to respect each other's beliefs especially if one or both staunchly practice her/his faith, to learn as much as possible about the other's faith community, and to attend the each other's worship service.

During the preparation, the Catholic party is made aware of the promises to do all that is possible to raise the children of the marriage as Catholics. Although the non-Catholic party is not required to make such promises, she/he must be informed of what the Church expects of the Catholic spouse (canon 1125, 1<sup>o</sup> and 2<sup>o</sup>). The priest/deacon also applies for the permission or dispensation as required in canons 1124 and 1086.

In the course of the couple's liturgical preparation, the priest/deacon acquaints them with the Norms for Intercommunion and the rites for the celebration of mixed or interfaith marriages. (cf. Canonical References).

#### E) CONVALIDATION

A couple for convalidation is expected to follow a marriage preparation program, although their circumstances ought to be considered. If they have been married for some years and have participated regularly in the Sunday Eucharistic celebration, a lengthy preparation may not be needed. The priest/deacon may find the program REFOCCUS (Relationship Enrichment Facilitating Open Couple Communication, Understanding and Study) helpful.

Ordinarily, a period of at least one year ought to elapse before validation takes place. The priest/deacon and couple are cautioned against viewing convalidation as a means of saving the marriage, particularly if the couple is experiencing difficulties. If this is the situation, the priest/deacon may ask the couple to obtain an evaluation before proceeding with the convalidation.

In the course of preparation, the priest/deacon ascertains the parties' freedom to marry in the Church. He also makes it clear to the couple (1) that the marriage up to that point is invalid because of one of the following: a lack or defect of form, defect of consent, or the existence of a diriment impediment that has not been dispensed; (2) that they are now exchanging an entirely new act of consent and are entering into the Sacrament of Matrimony for the first time.

F) SUBSEQUENT MARRIAGES

Current psychological studies show that those separated from a former spouse by divorce or death go through a period of grieving. Similarly, it often happens that people have not dealt with the anger, hurt, and frustration from the breakdown of a previous marriage. If this is the case, the priest/deacon might suggest that the person participate in the Nine-Week Support Group or a Beginning Experience Weekend before entering a subsequent marriage. The priest/deacon may also require evaluation and/or counseling.

If one or both of the parties requires a formal annulment, the priest/deacon explains the process and assists them in preparing the Petition for Annulment. The wedding date is NOT set until the formal case has been resolved.

It is recommended that the priest/deacon adapt the Alternative Preparation Approach to the couple's situation bearing in mind the need to address the failed marriage with both parties.

G) MARRIAGE OF NON-CATHOLIC COUPLES

According to the law of the State of Hawaii, priests are not recognized as legal witnesses for civil marriages. All marriages witnessed by priests are considered religious marriages. Therefore, priests can only officiate at a religious ceremony.

H) EXCEPTIONS TO THE FOUR-MONTH REQUIREMENT

Occasionally, the priest/deacon might encounter a couple who will want to shorten the time of preparation particularly when one of them is facing a visa expiration or when the couple is elderly. After the Initial Interview, the priest/deacon uses his discretion whether or not to set a tentative wedding date. If he decides to waive the four-month requirement, he will follow the marriage preparation outlined in the Marriage Guidelines as completely as possible - given the circumstances of the couple. He advises the couple that invitations are not to be printed until the wedding date is confirmed.

In the case of an elderly couple, the priest/deacon may decide to shorten the preparation time in view of the couple's maturity and lived experiences. He may wish to focus on the couple's sacramental understanding of Matrimony, the practice of their faith, and skills that deepen their relationship.

Accountability: In cases where the four-month requirement is waived, the priest/deacon must inform the chancellor or vicar forane who will keep a record of the cases waived and the reasons given. This information will be submitted to the Chancery as part of the annual report.

I) **LANGUAGE NEED**

With couples who have difficulty understanding or speaking English, the priest/deacon may request the help of another priest, couple, or religious who is fluent in the couple's language. The Office of Ethnic Ministries as well as priests assigned to the various ethnic ministries, (Samoan, Tongan, Korean, Japanese, Vietnamese and Hispanic) will be able to provide assistance in marriage preparation.

J) **UNCHURCHED COUPLES**

This refers to couples who have not participated in the Eucharist or in the life of the Christian community for a number of years. Some may not have received Eucharist, Reconciliation or Confirmation while others may never have had training in the Faith.

It is recommended that the priest/deacon provide them with instructions on the sacraments and its celebration during the course of the marriage preparation. This is particularly true of those who have not been confirmed. Therefore, it is recommended that they receive the Sacrament of Confirmation before marriage.<sup>1</sup>

K) **COUPLES/PRIESTS FROM OUTSIDE THE DIOCESE**

Visiting Couple: The couple is informed that they need to be prepared according to the Marriage Preparation Guidelines of their own diocese. A copy of the paper entitled **Mainland and Foreign Marriages** (cf. Appendix) is sent to the couple to serve as a checklist. The couple is instructed to send all documents and papers to their Chancery for the **NIHIL OBSTAT**. Their Chancery will forward all paper work to the Honolulu Chancery. The Honolulu Chancery will then send all the papers to the church of the wedding.

Visiting Priest: A visiting priest officiating at a wedding in this diocese must obtain a license from the State Department of Health. To do this, he submits two letters to the State Department: one from his bishop or religious superior and another from the Chancellor of the Diocese of Honolulu. A copy of the paper entitled **Requirements for Licensing Priests from Outside the Diocese to Perform a Specific Wedding** (cf. Appendix) is sent to the priest to serve as a checklist.

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L) HIV AND MARRIAGE PREPARATION

When a priest/deacon becomes aware that one or both of the parties is infected with HIV/AIDS, he is instructed to contact the Diocesan Tribunal. Each case will be handled on an individual basis.

At the same time, the priest/deacon must be aware of the canonical ramifications of the situation. Willful concealment of HIV/AIDS on the part of the infected partner would be fraud and thereby grounds of annulling the marriage (canon 1098).

M) RCIA AND THOSE BEING RECEIVED INTO FULL COMMUNION

The pastor or priest/deacon is responsible for determining a candidate's marital status prior to that person's entrance into the RCIA process. Consequently, if there is a need to rectify an irregular marital situation, the canonical resolution is taken care of during the period of inquiry or precatechumenate. Hence:

- 1) for (potential) catechumens: before the Rite of Acceptance into the Catechumenate;
- 2) for those seeking full communion: before the Rite of Welcoming the Candidates.

By attending to the irregular situation **before hand**, unnecessary stress and embarrassment to the party is eliminated and initiation or reception into full communion can then take place as well as convalidation or the celebration of marriage.

Information concerning the validity of baptisms of Protestant Religions is found in the Appendix.

N) MONITUM/VETITUM

In order to protect the Sacrament of Matrimony and the individual and his/her future spouse, the tribunal granting the declaration of nullity for a previous marriage may attach conditions to the decree of nullity. There are two types of conditions: the Monitum and the Vetitum.

Monitum is a warning that an unresolved problem in the individual might cause stress or tension to the new relationship. The priest/deacon ought to contact the tribunal that issued the Monitum for information in order to address the problem with the individual and/or the couple during their preparation.

Vetitum prohibits the celebration of a subsequent marriage unless some serious matter (i.e. anger management, spousal/child abuse; alcohol/substance abuse, personality disorder, etc.) has been resolved through medical and/or psychological intervention. The attending priest/deacon needs to contact the tribunal that issued the Vetitum for further instructions. Upon demonstration that the problem has been resolved, the tribunal will lift the Vetitum and give permission to proceed with the marriage.

## 6. DELAYED MARRIAGES

A priest/deacon may not delay the marriage of a couple who are free to marry without serious cause. Canon 1077, §1 states: "In a particular case, the ordinary can prohibit the marriage of his own subjects wherever they are staying and of all persons actually present in his own territory, but only for a time, a serious cause and as long as that cause exists."

Serious Cause for delaying a marriage would include:

- 1) Non-practice of the Catholic faith by both parties with no intent of returning to its practice;
- 2) Substantial lack of appreciation for the spiritual and sacramental aspects of marriage;
- 3) Lack of readiness for marriage as assessed by the priest/deacon through personal interviews, consultation with the parents, and through the pre-marriage evaluation and counseling;
- 4) Unreasonable refusal of the parties to take part in a marriage preparation program;
- 5) Lack of time for adequate preparation.

When a priest/deacon decides to delay a marriage, he notifies the chancellor or vicar forane in writing and gives the reasons for his decision. He also notifies the couple of his decision and of the consultation with the chancellor or vicar forane.

The chancellor or vicar forane responds with his decision in writing to the priest/deacon and sends a copy to the couple. If he agrees with the priest/deacon for the delay, the letter also states the couple's right to appeal.

The delay is to be no longer than a year.

The possibility of alienating the couple from the Church can be minimized if the diocesan policy and the reasons for it are thoroughly explained during the **Initial Interview**. In the event of delay or postponement, the priest/deacon continues to counsel and assist the couple with their marriage preparations.

## 7. THE APPEAL PROCESS

The couple appeals directly to the vicar general or judicial vicar who will review the case and issue a decision. The priest/deacon responsible for the decision of delay must assist the couple with the appeal process.

## STEPS FOR THE APPEAL

- 1) The couple state their desire and reasons for appeal in writing to the vicar general or judicial vicar. This letter is given to the priest/deacon.
- 2) The priest/deacon sends the following to the vicar general or judicial vicar: (1) the couple's letter of appeal together with his letter in which he states his reasons for the delay and (2) a copy of the chancellor's or vicar forane's letter.
- 3) The vicar general or judicial vicar reviews the letters, and seeks assistance from diocesan departments and persons, i.e., the tribunal, the couple's pastor, and parents before making a decision.
- 4) The vicar general or judicial vicar interviews the couple and consults the priest/deacon. After this, the vicar general or judicial vicar issues his decision in writing and sends copies to the couple, priest/deacon, and vicar forane.

No priest/deacon may proceed with a marriage that has been delayed by another priest/deacon without the approval of the vicar general or judicial vicar.

Reviewed November 2000

## CANONICAL REFERENCES

### NORMS FOR INTERCOMMUNION

*Sharing of Eucharist with other Christian denominations is not permitted by the general discipline of the Church. This is to be considered when plans are being made to have a Mass for a mixed marriage.*

The Diocese of Honolulu follows the guidelines for receiving communion issued by the National Conference of Catholic Bishops on November 8, 1986 which states:

▶ For Catholics

Catholics fully participate in the celebration of the Eucharist when they receive Holy Communion in fulfillment of Christ's command to eat His Body and drink His Blood. In order to be properly disposed to receive Communion, communicants should not be conscious of grave sin, have fasted for an hour, and seek to live in charity and love with their neighbor. Persons conscious of grave sin must first be reconciled with God and the Church through the Sacrament of Penance. Frequent reception of the Sacrament of Penance is encouraged for all.

▶ For Other Christians

We welcome to this celebration of the Eucharist those Christians who are not fully united with us. It is a consequence of the sad divisions in Christianity that we cannot extend to them a general invitation to receive Communion. Catholics believe that the Eucharist is an action of the celebrating community signifying a oneness in faith, life, and worship of the community. Reception of the Eucharist by Christians not fully united with us would imply a oneness which does not yet exist, and for which we must all pray.

▶ For Those Not Receiving the Eucharist

Those not receiving sacramental communion are encouraged to express in their hearts a prayerful desire for unity with the Lord Jesus and with one another.

▶ For Non-Christians

We also welcome to this celebration those who do not share our faith in Jesus. While we cannot extend to them an invitation to receive Communion, we do invite them to be united with us in prayer.

## DISPENSATION FROM CANONICAL FORM

Where there are serious difficulties in observing the canonical form in a mixed marriage, the local ordinary of the Catholic party or of the place where the marriage is to take place may, for pastoral reasons, dispense with the form. The request for the dispensation is to be submitted to the Chancery together with a letter from the couple stating their reasons for the request and the pastor's or priest/deacon's recommendation.

The following are some reasons that may warrant such a request: to achieve family harmony or avoid family alienation; to recognize the significant claim of relationship or special friendship with a non-Catholic minister; to permit the marriage in a church that has particular importance to the baptized non-Catholic.

If the ordinary of the Catholic party grants a dispensation from canonical form for a marriage which is to take place in another diocese, the ordinary of that diocese should be informed beforehand in accordance with canon 1127 §2.

## **A Statement of the Policy Concerning Marriage In the Diocese of Honolulu.**

*“Married Christians, in virtue of the sacrament of matrimony, signify and share in the mystery of that unity and fruitful love which exists between Christ and His Church; they help each other to obtain holiness in their married life and in the rearing and education of their children; and they have their own special gift among the people of God.” (Rite of Marriage, Instruction, nn.1,7)*

### **I. Marriage Preparation:**

The sacred nature of a Church wedding demands that the couple have an understanding and acceptance of the spiritual aspects of their mutual commitment. In addition, a marriage in a Catholic Church presumes that at least one of the parties to the marriage intends to practice the Catholic faith. Primary responsibility for helping the couple to such understanding belongs to the officiating priest.

“Since the marriages of two baptized persons are sacraments, they are not merely private or familial celebrations but ecclesial events. The spouses declare their consent ‘before God and the Church’ and live out that commitment in and with the support of the ecclesial community. It is, therefore, fitting that this celebration should take place in a church. It is here that the community is ‘gathered together by the preaching of the Gospel of Christ, and the mystery of the Lord’s supper is celebrated, ‘so that the whole fellowship is joined together by the flesh and blood of the Lord’s body.’” (Beal, John P., Coriden, James a., Green, Thomas J., ed., New Commentary on the Code of Canon Law, New York, Paulist Press, 2000.)

### **II. Procedures Regarding Marriage:**

#### **A. Place of Marriage**

Marriages ordinarily are celebrated in a parish church (c.1115).

##### **1. Marriage of Two Catholics**

- (a) In the Diocese, under no circumstances is the marriage of two Catholics permitted out-of-doors, in catering establishments, country clubs, restaurants, hotels, or marine vessels of any kind.
- (b) Permission may be sought for marriage in the home only when one of the members of the wedding party or a close relative is an invalid or otherwise confined to the home.
- (c) Permission may be sought for marriage in an approved Catholic chapel if one of the parties has a close affiliation with the institution where the chapel is located.

2. ***Marriage of a Catholic to a Baptized Non-Catholic***

Permission may be granted by the Chancellor for the marriage to take place in a non-Catholic church if sufficient reason exists. All other situations are covered by the same rules as for marriage of two Catholics.

3. ***Non-Christian-Catholic Marriages***

- (a) Marriages ordinarily should take place in the parish church of the Catholic or in another sacred place.
- (b) If difficulties arise because the persons are reluctant to have the ceremony in a Catholic Church, the priest or deacon may seek permission from the Chancellor of the Diocese to celebrate the marriage in another appropriate place after reviewing the reasons offered by the couple and investigating the place suggested for the wedding. If possible, the ceremony should be celebrated in a chapel-like arrangement or in a room apart from the place where the meal or reception will take place.

**B. Other Considerations for a Mixed Marriage**

1. ***Marriages Witnessed by a Priest or Deacon***

- (a) Permission should be sought from the vicar of the appropriate vicariate or the Chancellor.
- (b) The parish responsible for preparing documentation that the marriage is properly recorded is that in which the marriage would ordinarily take place, e.g., the parish of the Catholic.
- (c) The usual pre-matrimonial investigation must be completed to ensure the adequate preparation, instruction and freedom of the couple.
- (d) The priest or deacon must be the sole witness to the marriage.
- (e) In the case where the marriage would take place in the Catholic Church, a non-Catholic minister may be present and may offer prayers and ask a blessing on the couple.
- (f) In view of this restriction of participation by the non-Catholic minister, this must be discussed with him/her and be agreeable to him/her and his/her ecclesiastical superiors, if necessary.
- (g) The priest or deacon witnessing the marriage requires canonical delegation from the territorial parish in which the celebration of the marriage takes place, if the place is outside his own parish.
- (h) Notation of the marriage must be made in the register of the territorial parish within which the marriage actually takes place and the usual documentation is to be retained in the files of that parish.
- (i) It is the obligation of the priest/deacon witness to ensure that the usual notation is made in the proper baptismal register.

2. ***Marriages witnessed by a non-Catholic Minister with Dispensation from Canonical Form.***

- (a) The parish priest or deacon of the Catholic party is to prepare the couple and to procure the proper documentation.

- (b) The petition for a dispensation from canonical form should be directed to the Chancellor of the Catholic party. Reasons for the request should be stated in a letter to the Chancellor.
- (c) There can be only one ceremony. The priest or deacon may be present to offer a prayer and blessing.
- (d) All records of the marriage are to be placed in the parish files of the territorial parish in which the marriage took place. The priest arranging the marriage is responsible for making sure this is done and for notifying the Church where the Catholic was baptized.
- (e) Ordinarily, a non-Catholic minister may not witness a marriage in a Catholic Church. Should a special case arise, please consult the Vicar General.
- (f) Similarly, outside of special cases, a Catholic priest may not witness a marriage in a non-Catholic church, a non-sacred place.

### **C. Marriage of Catechumens**

When a Catholic marries a catechumen, a dispensation for disparity of worship is necessary for validity. 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 a Liturgy of the Eucharist.

### **D. Nuptial Masses**

1. A Nuptial Mass is subject to the usual liturgical regulations. Holy Communion may not be distributed to a non-Catholic participant with the exception of Orthodox Christians, and then only with the permission of their own pastor.
2. In a marriage between a Catholic and a non-Baptized person, a Nuptial Mass may not be celebrated.
3. A Nuptial Mass on Saturday would satisfy the Sunday obligation provided that the celebration begins after 4 p.m. and the readings for that Sunday are used.
4. A Nuptial Mass is not permitted on Sundays of Advent, Lent, and after the Easter season, on solemnities, on All Souls Day, on Ash Wednesday, and during Holy Week.

### **E. Dispensations and Permissions**

1. In requesting marriage dispensations and permissions, it is useful to keep in mind that the Catholic party must reside in the Diocese, otherwise the dispensations or permissions are granted by the Ordinary in whose diocese the Catholic party resides.
2. Requests for marriage dispensations or permissions can be sought from the priest or deacon preparing the couple.
  - (a) There must always be sufficient reason for granting a dispensation or permission and must include the spiritual welfare of the parties.
  - (b) Dispensation from canonical form should be requested only for a serious pastoral concern when there are grave difficulties in observing the Catholic form and the spiritual welfare of the parties is involved.

**F. Ecumenical Considerations**

1. Members of other churches, as well as non-Christians, may be witnesses in the celebration of marriage in the Catholic Church.
2. A Catholic may be best man or maid of honor or attendant at a marriage properly celebrated among non-Catholics.

**G. Inter-Ritual Marriages**

1. ***Eastern Rite and Latin Rite Catholics***  
The marriage may take place in either the rite of the man or woman, provided that; at least one party to the marriage is a member of the Latin Rite (c.1109). The presider must be a priest or bishop.
2. ***Latin Rite Catholic and Orthodox***  
Ordinarily marriage takes place in the Latin Rite by a priest or bishop. The Vicar General may grant a dispensation from canonical form so that the marriage may take place in an Orthodox Church by an Orthodox Priest.
3. ***Eastern Rite Catholics and Non-Catholics***  
The Eastern Rite priest must witness the marriage.

**H. Civil Law Requirements**

1. A priest is not permitted to witness a marriage of two-Catholics, nor may he presume to witness any marriage in a merely civil capacity or for civil effects alone.
2. In all marriages, whoever receives the vows must sign the license. Priests or ministers of other religions who are present should not sign the license, nor should they "co-officiate" by sharing the nuptial ceremony.

**I. Faculties and Delegation for Marriage**

Pastors, by virtue of their office, have ordinary jurisdiction to officiate at marriages in their own parishes. Only a priest canonically assigned to a parish by the Ordinary as a pastor, or parochial vicar or a deacon who is assigned to that parish is delegated to witness marriages in that parish. Such a priest or deacon cannot validly witness a marriage outside his parish unless he has the specific delegation of the pastor of the parish in which the wedding takes place, or of the Ordinary himself.

Visiting priests from other dioceses and religious priests, who are not appointed by the Ordinary as parochial vicars, need specific and individual delegation from the proper authority for each marriage they witness.

Note: Refer to Marriage Guidelines for the Diocese of Honolulu (Revised: September 1994)