

MARRIAGE

The intimate partnership of married life and love has been established by the Creator and qualified by His laws. It is rooted in the conjugal covenant of irrevocable personal consent. Hence, by that human act whereby spouses mutually bestow and accept each other, a relationship arises which by divine will and in the eyes of society too is a lasting one. For the good of the spouses and their offspring as well as of society, the existence of this sacred bond no longer depends on human decisions alone.

Thus a man and a woman, who by the marriage covenant of conjugal love “are no long two, but one flesh” (Mt. 19:6), render mutual help and service to each other through an intimate union of their persons and of their actions. Through this union they 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. (Vatican II Pastoral Constitution on the Church in the Modern World [Guadium et spes] (GS), 48)

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MARRIAGE PREPARATION POLICY

Time

1. A minimum of four months preparation is required.

Elements of Marriage Preparation Program are three: an instrument, an event and sessions with a priest or pastoral minister. All couples entering marriage within the Diocese of Dodge City are expected to comply with the Marriage Preparation Policy.

1. Instrument – Beginning 1 October 2010: Prepare and Enrich online assessment and subsequent discussion of the results.
2. Event – Attendance at an Engaged Encounter or couple-to-couple group session.
3. Sessions – Other meetings with the priest or pastoral minister who is to be particularly concerned to help the couple develop an understanding and appreciation of the sacrament, especially the liturgical and spiritual aspects of marriage.
4. 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.
5. If in a particular circumstance participation in the above prescribed marriage preparation program is impossible or extremely inconvenient (e.g., because of military service or because a student is away at college), the couple, in cooperation with the priest who will witness the marriage, may take part in any marriage preparation program approved for use in another diocese. In such a case, the couple is to present to the priest verification of their participation in the other diocese's preparation program. However, it is the responsibility of the priest or deacon witnessing the marriage to ascertain that each part is free to marry.

6. The pastor is responsible to provide an adequate preparation program for all couples. If language is an obstacle, this preparation could be accomplished through trained lay people or in other appropriate ways.

Marriage of Minors

1. Effective July 1, 2006, in the State of Kansas no one under the age of 18 may get married without the approval of parents or a judge. The law allows parents or legal guardians to give consent for 16- and 17-year olds to wed, and a judge could approve marriage for 15-year olds.
2. The couple is to be evaluated by a counselor at Catholic Social Service whose task will be to evaluate the affective maturity and capacity of the couple to fulfill the obligations of marriage. The couple must sign a release of confidentiality so that the counselor may communicate his or her assessment/evaluation to the priest or pastoral minister working with the couple. The cost of the session is the responsibility of the couple.
3. The bishop usually will not grant permission for marriage in the Church for anyone prior to his or her 17th birthday.
4. See Appendix for further information.

Cohabitation

1. If the couple is cohabiting, this issue must be addressed during the preparation. Cohabitation, however, is not an impediment for the couple to enter marriage.
2. See Appendix for further information.

Alcohol or Drug Issues

1. If one or both of the parties has an alcohol or drug dependence/addiction, this must be addressed during the preparation.
2. See Appendix for further information.

Setting a Date

1. The date of the wedding shall be confirmed only after the assessment has been made of the couple's readiness for marriage.

Convalidation

1. In cases where a couple (at least one of whom is Catholic) has attempted marriage contrary to the laws of the Church, the pastoral minister arranging for the convalidation of such a union holds a serious obligation to provide the couple with adequate preparation. Among other pastoral concerns, the priest or pastoral minister should determine the motives which bring the couple to the Church for the convalidation of their marriage. He or she should also strive to lead the couple to a deeper appreciation of the theological and spiritual dimensions of the sacrament of marriage and to an understanding of the implications of the marriage as a covenant relationship.
2. When the couple has been civilly married for only a brief time, the priest or pastoral minister is to require FOCCUS and Engaged Encounter as part of their preparation.
3. If the couple has lived in a civil marriage for several years and it shows the signs of being a stable relationship, the elements of the preparation for convalidation are to include in instrument and an event that seems best suited to the individual needs of this couple.
4. If this is a situation in which either of the couple has been previously married, see the Appendix for appropriate issues to be considered in their preparation.

AUTHORIZATIONS AND PRENUPTIAL DOCUMENTS

Nihil obstat

1. Authorization is needed from the bishop, vicar general, or the bishop's delegate (presently the Chancellor) to proceed with a marriage when any of these circumstances is present:
 - a. When either party is not a resident of the Diocese of Dodge City
 - b. When either party is not yet 18 years old
 - c. When either party has been previously married, including civilly
 - d. When any type of canonical dispensation or permission is needed.

Documents to Include

1. White "prenuptial form"
 - a. prenuptial investigation, signed by the parties and the priest
 - b. if this is a convalidation, complete the civil marriage information and include a copy of the civil marriage license
 - c. if a parishioner is marrying in another parish, the pastor of the Catholic party signs Section E granting permission for the parishioner to marry elsewhere
 - d. if a priest other than the pastor or parochial vicar of the parish will serve as the official witness, the pastor or parochial vicar signs Section F granting delegation to the visiting priest. Care should be taken by the pastor that any priest coming into his parish is a "priest in good standing."
2. A recently issued copy (within the past six months) of the Catholic party's baptism certificate with other sacramental notations included. This provides further assurance that a Catholic party is free to marry.
3. A copy of the baptized non-Catholic party's baptism certificate if it can be obtained or some other copy of the record of baptism. If neither of these can be obtained, then request the "disparity of cult *ad catelam*" dispensation.
4. Yellow "Permission and Dispensation" form [Side One]
 - a. to request a dispensation from disparity of cult (when party is not baptized)
 - b. to request a dispensation from disparity of cult *ad catelam* (when you are unsure or cannot prove with a document the non-Catholic party's baptism)
 - c. to request permission for mixed religion (when you have proof of the non-Catholic party's baptism)
 - d. to request a dispensation from some other diriment impediment (e.g., consanguinity, affinity, crime, etc.)
 - e. to request a dispensation from canonical form (with a non-Catholic minister officiating)
 - f. to request permission for a marriage to take place in another non-Catholic church (with a priest officiating)
5. Yellow "Permission and Dispensation" form [Side Two]
 - a. to record the Declaration and Promise of the Catholic party and the notification of the non-Catholic party
6. Blue "Special Marriage Data" form when either party has been married previously
 - a. if a previous marriage has been annulled, also include a copy of the final letter or decree stating the annulment has been granted
 - b. if the spouse of a previous marriage is deceased, include a copy of the death certificate (or, if that cannot be obtained, a copy of the obituary from a newspaper)

7. Green “Witness—Freedom to Marry” form is completed if one of the parties is not baptized, or if one of the parties is not well known by the priest or pastoral minister preparing the couple.

Laws of the State of Kansas

1. Marriages must comply with the requirements of civil law. See Appendix for information pertaining to marriage licenses in the State of Kansas.
 - a. A civil marriage license issued in the State of Kansas is required of all couples about to be married in this state.
 - b. A civil marriage is required even for a couple who is currently living in what is called a “common law marriage,” unless a state court has adjudicated the relationship as a “common law marriage.”
 - c. The state license must be signed by the priest or deacon and returned to the probate court where it was issued within the time stipulated on the license.
 - d. Kansas law requires two witnesses who are competent and are at least 18 years of age.
 - e. Effective July 1, 2006, in the State of Kansas no one under the age of 18 may get married without the approval of parents or a judge. The law allows parents or legal guardians to give consent for 16- and 17-year olds to wed, and a judge could approve marriage for 15-year olds.

Sending Prenuptial Documents to Chancery

1. Prenuptial documents are to be sent to the Chancery office in Dodge City at least one month before the date of the wedding.

Marriages Celebrated in Another Diocese

1. If a priest or pastoral minister is preparing for marriage a couple who lives in this diocese but the marriage will be celebrated in another diocese, the norms for marriage preparation in the Diocese of Dodge City are to be followed.
2. At the end of the marriage preparation, send the prenuptial forms to the Dodge City Chancery office at least one month before the date of the wedding. Dispensations and permissions are granted by the local ordinary of the diocese where the Catholic party lives.
3. The prenuptial documents will then be sent to the Chancery office of the diocese where the wedding will take place.

LITURGICAL AND CANONICAL LAWS SURROUNDING MARRIAGE

Rite of Marriage

1. As a norm, the three options provided in the *Rite of Marriage* (6-8) are to be used.
2. In the Diocese of Dodge City, the bishop has granted permission for the wedding of a Catholic and baptized non-Catholic, or a Catholic and an unbaptized person, to be celebrated with Mass if a just cause exists. However, liturgical norms concerning reception of the Eucharist by non-Catholics must be observed.

Place to Celebrate Marriage

1. A marriage between two Catholics or between a Catholic party and a baptized non-Catholic party is to be celebrated in a parish church. It may be celebrated in another [Catholic] church or oratory with the permission of the local ordinary or pastor. (c. 1118, §1) The local ordinary may permit a marriage to be celebrated in another suitable place other than a Catholic church or oratory. (c. 118, §2) A marriage between a Catholic and an unbaptized person may be celebrated in a church or in another suitable place. (c. 1118, §3)
2. In the Diocese of Dodge City, at least one of the parties must be a registered member of the parish; or, the parents of the bride or the groom must be registered in the parish. Only by exception would a wedding be celebrated in another church, and then with the permission of the pastor of the Catholic party(ies).

Canonical Form

1. Those marriages are valid which are contracted before the local ordinary or pastor (or a priest or deacon delegated by either of them) and two witnesses. (c. 1108) In the Diocese of Dodge City, the faculty has been granted to parochial vicars to assist at marriages within the boundaries of the parish to which they are assigned.
2. 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. The only function of the two witnesses is to attest to the fact that the marriage was legitimately celebrated. Therefore, there is no requirement that either of the witnesses be Catholic or baptized.

Those Bound by the Canonical Form of Marriage

1. Canonical form must be observed if at least one of the parties was baptized in the Catholic Church or received into it and has not defected from it by a formal act. (c. 1117)
 - a. The fact that a person was not raised in the Catholic Church after baptism or has lapsed from the active practice of the faith does not exempt him or her from the obligation of observing the canonical form.
 - b. In March 2006 the Pontifical Council for Legislative Texts published a document clarifying what is meant by “an act of defection from the Catholic Church.” This is more than a mere lapsing from the practice of the faith. Rather, it is a juridic act that includes: the internal decision to leave the Catholic Church, the realization and external manifestation of that decision, and the reception of that decision by the competent ecclesiastical authority.

Prohibition of Duplicate Ceremonies

1. In the case of a mixed marriage, 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. (c. 1127, §3)
2. This canon is very important since it touches on the validity of the sacrament. While pastoral practice must manifest sensitivity to “ecumenical marriages,” this sensitivity will amount to nothing if the solution chosen for involving a Catholic priest or deacon and a non-Catholic minister in a celebration of marriage result in an invalid celebration. One minister must receive the consent of both parties. If that minister is non-Catholic, a

dispensation from canonical form is required even if the Catholic minister is to be present for the celebration.

Role of a Priest in a Non-Catholic Church

1. With the previous authorization of the 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.
2. In this case there may be only one ceremony in which the presiding minister receives the marriage vows from both parties.
3. At the invitation of the minister, the priest or deacon may offer other appropriate prayers, read from scripture, give a brief exhortation and bless the couple.

Role of a Non-Catholic Minister in the Catholic Church

1. Upon request of the couple, the local ordinary may permit the priest to invite the minister of the non-Catholic party to participate in the celebration of the marriage, to offer prayers, to read from scripture, give a brief exhortation and bless the couple.
2. In this case there may be only one ceremony in which the priest receives the marriage vows from both parties.

Faculty to Witness Marriages and Delegation

1. The lay grants to local ordinaries and pastors the faculty to assist at marriages within their territory in virtue of their office. (c. 1111, §1)
2. In the Diocese of Dodge City, the faculty has been granted to parochial vicars to assist at marriages within the boundaries of the parish to which they are assigned.
3. By reason of the faculty mention in #1 and #2 above, pastors, parochial administrators and parochial vicars may subdelegate to another qualified priest or deacon who enjoys faculties to witness a particular wedding.
4. To assist at any marriage a deacon must be properly delegated (unless general delegation has been granted). General delegation must be explicitly given by the proper pastor. [A sample letter of general delegation: “With this letter you, Deacon (name) are granted general delegation to witness any marriages within the parish boundaries of X parish. This delegation is effective (date),” and signed by the pastor. Send a copy of general delegation letters to the bishop or his delegate so that he is aware that the deacon has been given general delegation.]
5. Priests from outside the Diocese of Dodge City (whether secular priests or religious priests) must be delegated in writing for each and every wedding. It is not enough to grant them permission to come. To delegate another priest, complete Section F of our diocesan prenuptial form, or on a separate sheet of paper write: “I, (pastor’s name), delegate (name of the priest) to assist at the marriage of (names of groom and bride) at (name of the church) on (date).” Sign and date the letter.
6. A priest or deacon who witnesses a marriage in a parish to which he is not assigned is to obtain delegation from the pastor of the place of marriage. It is the responsibility of the priest or deacon witnessing the marriage to obtain the necessary delegation.

Valid and Licit Celebration

Before a marriage is celebrated, it must be evident that nothing stands in the way of a valid and licit celebration. (c. 1066)

1. For a marriage to be **VALID** the parties must be canonically free to marry one another:

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- a. an impediment to marriage must not exist (see cc. 1083-1094)
 - b. the parties must marry freely and give true matrimonial consent (see cc. 1095-1107)
 - c. the marriage must be celebrated with proper canonical form (i.e., before a local ordinary or pastor (or a properly delegated priest or deacon) and before two witnesses.(c. 1108)
 - d. If grave difficulties hinder the observance of canonical form [in a mixed marriage], the local ordinary of the Catholic party has the right of dispensing from the form in individual cases, after having consulted the local ordinary of the place in which the marriage is to be celebrated, and with some public form of celebration. (c. 1127, §2)
2. For a marriage to be celebrated **LICITLY** [lawfully]:
- a. an examination of the spouses (c. 1067) to ascertain the absence of impediments, the parties freedom to marry, their capacity to marry, their understanding of the obligations and rights of marriage, and their capacity to undertake those obligations and exercise those rights.
 - b. Permission from the local ordinary is necessary for the following situations (c. 1071):
 - the marriage of transients
 - a marriage which cannot be recognized or celebrated according to the norm of civil law
 - a marriage of a person who is bound by natural obligations toward another party or children from a previous union
 - a marriage of a person who has notoriously rejected the Catholic faith
 - a marriage of a person under censure
 - a marriage of a minor child when the parents are unaware or reasonably opposed
 - a marriage to be entered through a proxy mentioned in c. 1105
 - c. Mixed Marriage (the marriage between a baptized Catholic and a baptized non-Catholic) is prohibited unless the following conditions have been fulfilled (c. 1125):
 - The Catholic party is to declare that he or she is prepared to remove dangers of defecting from the faith and is to make a sincere promise to do all in his or her power so that all offspring are baptized and brought up in the Catholic Church. [In the Diocese of Dodge City, this declaration is noted on side two of the yellow dispensation/permission form.]
 - The non-Catholic part is to be informed at an appropriate time about the promises which the Catholic party is to make, in such a way that it is certain that he or she is truly aware of the promise and obligation of the Catholic party.
 - Both parties are to be instructed about the purposes and essential properties of marriage which neither of the contracting parties is to exclude.
 - d. Place of Marriage – The marriage between a baptized Catholic and a baptized non-Catholic may be celebrated in a parish church. It may be celebrated in another Catholic church or oratory with the permission of the local ordinary or pastor (c. 1118, §1). The Local ordinary may permit a marriage to be celebrated in another suitable place other than a Catholic church or oratory (c. 1118, §2). Canon 1118 presumes that no matter where the marriage is celebrated, the canonical form will be observed.

Impediments that Invalidate Marriage

Diriment Impediments render a person unqualified to contract marriage validly (c. 1073):

1. lack of age (male 16, female 14) (c. 1083)
2. impotence (c. 1084)
3. prior marriage bond (c. 1085)
4. disparity of worship (c. 1086)
5. sacred orders (c. 1087)
6. perpetual vows of chastity (c. 1088)
7. abduction (c. 1089)
8. crime (c. 1090)
9. consanguinity (c. 1091)
10. affinity (c. 1092)
11. public propriety (c. 1093)
12. adoption (c. 1094)

Circumstances which Invalidate Consent

Since consent is an act of the will, all defects of consent ultimately invalidate a marriage because of their impact on the will. Valid consent requires the harmonious interaction of all of a person's mental faculties-the cognitive, the critical or deliberative, and the volitional.

1. consensual incapacity (c. 1095)
2. ignorance (c. 1096)
3. error about the person (c. 1097)
4. fraud or imposed error (c. 1098)
5. error of law (c. 1099)
6. simulation of consent (c. 1011)
7. future condition (c. 1102)
8. force and fear (c. 1103)

Reasons for Delaying a Marriage

1. Before a marriage is celebrated, it must be evident that nothing stands in the way of its valid and licit celebration (c. 1066). A just cause for the priest to delay marriage include:
 - a. the presence of a diriment impediment or other invalidating factors (cc. 1083-1094)
 - b. the presence of an emotional or psychological disorder
 - c. the rejection of the Catholic concept of marriage
 - d. the priest's moral certitude of the absence of affective maturity on the part of either party
 - e. the refusal of the parties to take part in the prescribed marriage preparation program, or to participate in any way in pre-marriage assessment, evaluation or counseling.

Reasons for Prohibiting Marriage

1. In a special case, the local ordinary can prohibit marriage for his own subjects residing anywhere and for all actually present in his own territory but only for a time, for a grave cause, and for as long as the cause continues. (c. 1077, §1)
 - a. A prohibition can be issued only for a particular case. (Therefore, the local ordinary could not prohibit all marriages of a particular circumstance, such as all marriages in which the couples are cohabiting.)
 - b. The legitimacy of a personal prohibition depends on the existence of a grave cause. The proposed marriage must threaten serious harm to the parties themselves, to the

- good of the community, or to the dignity of the sacrament. The threat of scandal posed by the proposed marriage could also justify a personal prohibition.
- c. Prohibitions can only be temporary and must be revoked when the motivating cause ceases. Personal prohibitions of marriage are not meant as punishments but as protections of the personal good of the spouses and the public good of the community.
 - d. Such a prohibition restricts the exercise of the fundamental right to marry. Therefore, a careful effort to establish the relevant facts and to weigh the harm that might result from allowing the celebration of marriage against the hardships that may result from deferring it should always precede the imposition of a personal prohibition.
 - e. As a precept, a prohibition should be issued in writing with at least a summary of the reasons prompting it and be communicated to the affected persons.
 - f. If a prohibition is imposed, the affected persons should be assisted in overcoming the problems that prompted it.

Processes Involved in the Delay or Prohibition of Marriage

1. If a priest temporarily delays a couple's marriage, he must inform the couple of his decision in writing, and a copy of which is to be sent to the bishop or his delegate who authorizes marriages within the diocese.
2. If the bishop temporarily prohibits a couple's marriage, he must inform the couple of his decision in writing, a copy of which is to be sent to the respective Catholic pastors and to the bishop's delegate who usually authorizes marriages within the diocese.
3. No priest or deacon is to witness a marriage which another priest, deacon or pastoral minister has delayed temporarily, without first obtaining the approval of the bishop. Nor is any priest or deacon to witness a couple's marriage which the diocesan bishop has temporarily prohibited.
4. The manner of procedure in administrative recourse against decrees delaying or prohibiting a marriage is found in the Code of Canon Law. (cc. 1732-1739)

Recording Marriage

1. It is the responsibility of the pastor of the place of the celebration of marriage to note as soon as possible in the marriage register the names of the spouses, the person who assisted, the names of the witnesses, and the place and date of the celebration. (c.1121, §1)
2. If a marriage celebration with a dispensation from canonical form:
 - a. the marriage is to be recorded in the parish of the Catholic party whose pastor (or pastoral minister) conducted the investigation about free status. After the wedding, the Catholic party is to notify his or her pastor as soon as possible about the marriage celebrated, the place of the celebration and the public form observed. (c. 1121, §3)
 - b. the prenuptial documents are to be filed at the parish of the Catholic party.
3. The marriage is also to be noted in the baptismal register of the Catholic party(ies). It is the responsibility of the pastor of the place of the celebration of marriage to send notice of the marriage to the Catholic party's church of baptism (or to make the notation in the baptism register of the Catholic party if he or she was baptized in the same church in which the marriage was celebrated. (c. 1122)

CONVALIDATION PROCESSES

1. When convalidating a marriage (that is, making valid what is presently invalid), the parties must intend more than receiving a blessing.
 - a. The parties must intend, by exchange of consent, to establish marriage. If this does not happen, the convalidation is invalid.
 - b. The parties must understand that by this convalidation they are getting married for the first time in the eyes of the Church.
 - c. The parties' consent must manifest a new act of the will.
2. There are two convalidation processes:
 - a. simple convalidation
 - b. radical sanation

Simple Convalidation

There are three reasons a marriage may be invalid: impediment, consent or form. The convalidation requirements will vary slightly depending on the reason for the invalidity.

1. Simple Convalidation in Cases of an Impediment
 - a. the diriment impediment must either cease or be dispensed (c. 1156, §1)
 - b. at least the party who is aware of the impediment must renew consent
 - c. the renewal of consent is required for validity (c. 1156, §2)
 - d. the renewal of consent must be a new act of the will concerning marriage which the person who is renewing knows or thinks was null from the beginning (c. 1157)
2. Simple Convalidation in Cases of Defect of Consent
 - a. the party who had not consented now gives consent provided the consent given by the other party still exists (c. 1157, §1)
 - b. this is not a matter of a "renewal" of consent, but rather supplying valid consent that has been lacking from the beginning
3. Simple Convalidation in Cases of Defect of Form
 - a. a marriage invalid due to a defect of form must be contracted anew according to canonical form in order to become valid (c. 1160)

NOTE: There are two notions of "defect of form" in the law:

1. a defect of form when canonical form was attempted but something was lacking (for example, the priest was not properly delegated or two witnesses were lacking)
2. a lack of form is when canonical form was never attempted

Convalidation by Radical Sanation

1. The radical sanation is described as a convalidation of an invalid marriage without the renewal of consent. A radical sanation:
 - a. is granted by the competent authority (diocesan bishop or Apostolic See)
 - b. entails a dispensation from an impediment (if there was one) and from canonical form (if it was not observed)
 - c. is retroactive into the past of its canonical effects (c. 1161, §1)
 - d. is not granted unless it is probable that the parties wish to persevere in conjugal life (c. 1161, §3)

2. Radical sanation can be granted without the knowledge of either or both parties, but it is not to be granted except for a serious reason.

SACRAMENT OF MARRIAGE – APPENDIX SPECIAL CIRCUMSTANCES

The following information is offered as a guideline to pastoral ministers who may find themselves working with a couple with one or more of these circumstances. Each situation requires pastoral sensitivity and prudent judgment as to the best manner in which to engage the couple in conversation about a given issue.

Marriage of Minors

1. Understood to mean persons who have not yet reached his or her 18th
2. Marriage should always be a serious adult commitment. Today there is growing evidence and concern that many young and/or immature people approach the Church with the sincere desire to marry but seemingly without any deep understanding of the seriousness of the step they are contemplating. In view of the many circumstances adversely affecting marriages today, especially the need for affective maturity to accept, sustain and fulfill the essential obligations of marriage, special care and concern must be given to a couple requesting marriage when one or both is a minor.
 - a. Effective July 1, 2006, in the State of Kansas no one under the age of 18 may get married without the approval of parents or a judge. The law allows parents or legal guardians to give consent for 16- and 17-year olds to wed, and a judge could approve marriage for 15-year olds.
 - b. The priest or pastoral minister may wish to interview the minor's parents
 - to obtain their assessment of the couple, especially their evaluation of their son or daughter's maturity;
 - to obtain their evaluation regarding the lasting success of this proposed marriage;
 - to determine what assistance the parents can offer to ensure a successful, lasting union;
 - to obtain their consent (required by state law) to allow their minor son or daughter to marry

Premarital Pregnancy

1. When a premarital pregnancy is either suspected to be or clearly is the motivating cause of the marriage, great caution is urged toward marriage. The human pressures of premarital pregnancy, the need of basic support of self and child, the desire to do the right thing, the fear of social stigma for self and family, and other factors can work havoc with the freedom necessary to enter a valid marriage. Thus, when it is known that a premarital pregnancy is involved, the following provisions are suggested:
 - a. If the decision to marry had been announced publicly, for example by way of an engagement announcement, or if the decision had at least been shared with family members prior to the pregnancy, the priest or pastoral minister may proceed with the preparations to assess their readiness for marriage as he or she would with any engaged couple.

- b. If the decision to marry was made after the couple became aware of the pregnancy, the couple should be referred to a counselor at Catholic Social Service for a pre-marriage evaluation.

Cohabitation

1. Since the time of marriage preparation is a “teachable” moment for the cohabiting couple, the priest or pastoral minister should strive to approach the issue of cohabitation with sensitivity.
2. The priest or pastoral minister needs to accept the couple as persons who may well be in the process of spiritual growth and gently try to lead them toward reconciling with God and the Church.
3. If the minister is satisfied that the couple is acting in good faith, marriage preparation for them may continue. In the preparation, however, the minister may recommend that they separate for their own personal best interest, to allow them the space needed to be more objective about their relationship. The separation would also be a demonstration of their willingness to better understand the position of the Church.
4. Cohabitation is not an impediment to a valid marriage. Therefore, it is difficult to refuse marriage on this ground only. However, if there is not sufficient awareness on the couple’s part of the essential commitments in marriage, they may be grounds for postponement.

Dysfunctional Behavior or Background

1. If either party has an alcohol or drug problem, a professional evaluation or assessment is recommended.
2. If either party comes from a dysfunctional background, including parents who are alcoholics or drug abusers, or if a party has experienced physical, sexual or emotional abuse, these issues must be explored. If necessary, the priest or pastoral minister may refer the party to a professional or licensed counselor.

Marriage after an Annulment/Second Marriage

1. Even though the divorced party(ies) have received a declaration from the Church that they are free to marry, it is imperative that the priest or pastoral minister be satisfied that the difficulties which appeared in the previous marriage(s) not exist in the present relationship.
2. If an annulment has been granted, the priest or pastoral minister should be aware of the possibility that a *caution*, *grave caution* or *prohibition* might have been given relative to any future marriage. Contact the Tribunal to inquire into the reasons and stipulations of the *caution*, *grave caution* or *prohibition*.
3. Important issues affecting the children of a second marriage may include:
 - household authority
 - relationship with the non-custodial parent
 - changes in lifestyle
 - perhaps relocation, new school or loss of friends
4. The liturgical celebration of a second marriage should be moderate. It should take into consideration the prevailing circumstances subsequent to the first union, the local faith community, and the manner in which the permanence and sanctity of matrimony is best enhanced.

INFORMATION REGARDING MARRIAGE LICENSES IN THE STATE OF KANSAS

(From <http://marriage.about.com/cs/marriagelicense/p/kansas.htm>, June 2008)

1. One does not need to be a resident of Kansas in order to apply for a marriage license.
2. Both parties do not need to be present when applying for the license. If only one is present, that person will need to have all the documents and know the information that would be required from his/her future spouse.
3. Apply at the District Court Clerk's Office. Driver's license and a social security card, or other type of photo identification is required.
4. If either party was previously married, you will need to know the date of the final divorce decree or the date of death of the previous spouse. The divorced party may need to wait 30 days after the date of the final decree before being allowed to remarry.
5. Fees include \$50 for the license plus a \$25 surcharge. Cash is required in most counties.
6. Kansas has a three day waiting period.
7. Kansas does not allow cousin marriages.
8. Kansas does allow common law marriages. "A common law marriage will be recognized in Kansas if the couple considers themselves to be married and publicly hold themselves out to be married and if they are legally eligible to marry. No minimum period of cohabitation is required."
9. A Kansas marriage license is valid for six months.
10. "State and county marriage licenses often change. The above information is for guidance only and should not be regarded as legal advice. It is important that you verify all information with your local marriage license office or county clerk..."

(Note: Other information is available on this website. Only the information pertinent to the couple was presented here.)