

Myth 7: If Children Were Born in the Marriage, It Can't Be Annulled.

Whether children were actually born or not has no bearing on the possibility of an annulment, as an annulment focuses on the events leading up to the marriage and the way in which it was contracted.

Myth 8: The Ex Has to Agree to an Annulment.

Both spouses do have equal rights in an annulment proceeding, but it does not mean that the respondent (ex-spouse) has to agree to the annulment. If the facts do prove that a marriage was invalid, an annulment is granted.

Myth 9: An Annulment is Just a "Catholic Divorce."

A divorce and an annulment are two vastly different things. A divorce is concerned with the civil, legal realities with a focus on the end of a marriage. An annulment is concerned with the spiritual elements of the marriage on the day of marriage from a Gospel perspective. Annulments look for healing, peace, and wisdom.

Myth 10: An Annulment Means the Marriage Never Took Place

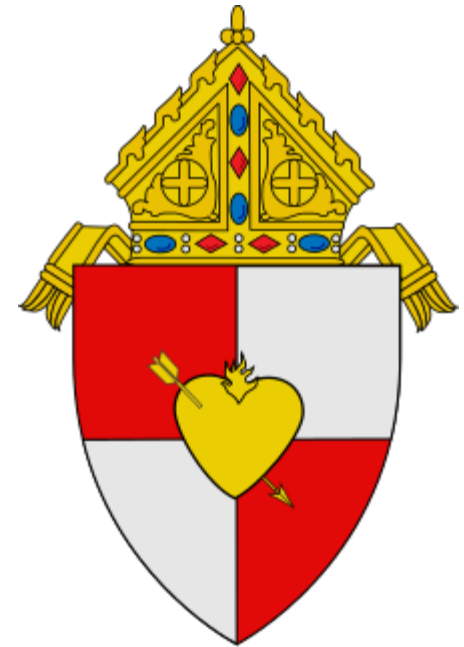
Annulments do not erase or change history. The Church deals only with the validity of the marriage, and not the legal, historical, or emotional truth of the marriage.

Myth 11: My Priest Can Grant an Annulment.

Priests do not have the authority to grant annulments or declarations of the invalidity of marriage. Declaring a marriage invalid and the couples free to marry is reserved to the bishop or the judges in the Tribunal.

Myth 12: I Will Have to Appear in a Courtroom to Get an Annulment.

While the Tribunal is a court of law for the Church, it is very different from a civil courtroom. Depending on the case, most of the work is done in writing. If a person appears in person to offer testimony, it is usually done in a private interview, and there is never "cross-examination."



MYTHS ABOUT ANNULMENTS

**Diocese of St. Augustine
Office of the Tribunal**



What are the myths about annulments?

During the last fifty years, many myths about divorce and annulments have circulated throughout the Church. This brochure is an attempt to help you learn the truth about the process of obtaining an annulment.

Myth 1: A Divorced Person is Automatically Excommunicated from the Church.

Divorce is only a civil matter and does not impact a person's status in the Church. Since the Church does not recognize divorce, if a person gets married without an annulment, the Church sees the person as committing adultery, which is a mortal sin, and therefore unable to receive the sacraments. However, this person is still a member of the Body of Christ, who can attend Mass and other parish events.

Myth 2: The Church Gets Rich from Annulments.

The Tribunal of the Diocese of St. Augustine is supported through the contributions of the faithful. All formal annulments are free in the Diocese of St. Augustine.

Myth 3: Only Catholic Marriages Need to be Annulled.

The Church also recognizes each and every marriage between a man and a woman (Catholic, Protestant, Jewish, civil, etc.) to be a valid and permanent marriage. Every prior marriage must be investigated and annulled (or dissolved) before a person can enter into a new marriage.

Myth 4: If An Annulment is Granted, the Children Will Be Illegitimate.

An annulment is concerned only with the spouses, not the children. An annulment has no effect at all on the legitimacy of children or any other arrangements regarding children, such as custody and support. Arrangements in the divorce decree cannot be changed by an annulment.

Myth 5: It Takes Three to Five Years.

Every annulment is different, depending on the type of case and the cooperation of the petitioner, respondent, and witnesses. Most annulments are completed in 10-12 months if all parties participate in the process. Some cases can take much less time, depending on the case.

Myth 6: Anyone Who Applies Will Get an Annulment.

Tribunals do give negative decisions. The burden of proof rests on the petitioner who is applying for the annulment. If there is not enough proof, the Tribunal will give a negative decision. The best way to avoid a negative decision is to be open, honest, and take the proper time to complete the testimony requested by the Tribunal. (Even if a negative decision is returned, a petitioner can appeal if he or she can produce more evidence.)



Contact Us

Diocese of St. Augustine

Office of the Tribunal
2598 Forbes Street
Jacksonville, Florida 32204

(904) 800-2393
tribunal@dosaf.com

Visit us on the web: www.dosaf.com