

Marriage and the Marriage Nullity Process



Tribunal
Diocese of Fort Wayne-South Bend

Introduction

In the Gospel of Mark, we read “[Jesus] set out from there and went into the district of Judea [and] across the Jordan. Again crowds gathered around him and, as was his custom, he again taught them. The Pharisees approached and asked, ‘Is it lawful for a husband to divorce his wife?’ They were testing him. He said to them in reply, ‘What did Moses command you?’ They replied, ‘Moses permitted him to write a bill of divorce and dismiss her.’ But Jesus told them, ‘Because of the hardness of your hearts he wrote you this commandment. But from the beginning of creation, ‘God made them male and female. For this reason a man shall leave his father and mother [and be joined to his wife], and the two shall become one flesh.’ So they are no longer two but one flesh. Therefore what God has joined together, no human being must separate.’ In the house the disciples again questioned him about this. He said to them, ‘Whoever divorces his wife and marries another commits adultery against her; and if she divorces her husband and marries another, she commits adultery’ (Mark 10:1-10).

The Church has the duty to teach and to uphold the teaching of Jesus on marriage. When two people marry, a spiritual bond is created between them. When two baptized people marry, this bond is sacramental. When two non-baptized people marry or when a baptized person and a non-baptized person marry, the bond which is created is called a natural marriage bond.

In both cases, this spiritual marriage bond which is created between them is real. It would be a mistake to think that, because the bond is called “spiritual” or because the bond cannot be seen with one’s eyes, it is less than real or even something merely symbolic. Even though it cannot be seen with one’s eyes, the marriage bond is as real as the sun in the sky. Thus, when a marriage bond is created between two people (and is properly consummated), it is perpetual, and in the case of a sacramental marriage bond, it is indissoluble except by the death of one of the spouses. This means that one or both of the spouses cannot dissolve it, the state cannot dissolve it, and a civil court cannot dissolve it. Even if a civil court should grant a divorce to a couple and say that the marriage bond is dissolved, it is, in fact, not dissolved. It continues to exist even though the couple no longer lives together as husband and wife.

Because of the continued existence of the bond, a divorced person who attempts to enter into a new marriage, not only does not actually enter into that new marriage (even though the state might say that they have), but they also enter into a situation of adultery. In fact, a divorced person who even begins dating while not free to marry another enters into the realm of adultery.

With this background in mind, we can begin to speak of marriage nullity and the process the Church uses to determine marriage nullity (popularly known as the annulment process). As a side note, irregular marriage situations must be frequently dealt with by pastors and RCIA directors since a person who is living in an irregular marriage cannot be allowed to be baptized or to be received into the Church. Thus, it frequently becomes necessary for such persons to avail themselves of the marriage nullity process.

Definition of Marriage

Before speaking about the marriage nullity process, it is further necessary to speak about what marriage is. The Catechism of the Catholic Church defines marriage in this way: “The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life, is by its nature ordered toward 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” (CCC, #1601) and “it demands indissolubility and *faithfulness* in definitive mutual giving; and it is open to *fertility*” (CCC #1643).

Thus marriage is first of all a “covenant.” A covenant is a kind of a contract. In a contract, things are exchanged between people. If one makes a contract, for example, to have one’s house painted, one party promises to give a certain amount of money for the services and the other party promises to do the agreed upon painting. Once the painting is done as agreed and the money is given from one party to another, the contract is satisfied and both parties can go on their merry way.

Marriage too is a contract in which certain things are exchanged. Both parties promise to live together as husband and wife for the rest of their lives. Both parties promise to be open to the begetting of children. Both parties promise to remain faithful to each other. However, marriage is not just a contract. It is a special kind of contract, a covenant. In a covenant, not only are things or promises exchanged, but also the people themselves are given to each other. So in marriage, the husband and wife say to each other: not only do I give you all these things (fidelity, openness to children, perpetuity), I give you myself.

The Church calls this full gift of one’s self in marriage the “partnership of the whole of life” (Canon 1055.1). The Catechism describes it like this: “Conjugal love involves a totality, in which all the elements of the person enter—appeal of the body and instinct, power of feeling and affectivity, aspiration of the spirit and of will. It aims at a deeply personal unity, a unity that, beyond union in one flesh, leads to forming one heart and soul; it demands indissolubility and *faithfulness* in definitive mutual giving; and it is open to *fertility*.” (CCC #1643).

Further, the Church understands that God has created marriage in this way for a purpose. Actually, for two purposes: for the good of the spouses and for the procreation and education of children. Thus, marriage is meant to make people better people. Through the life and love which is shared together in marriage and by the grace which is offered by God, marriage is ordered to the giving of mutual help between the spouses in all aspects of human life, including the spiritual life. Also, marriage is meant by God to be the place where new life is brought into the world and where that life is meant to be nurtured and to grow.

Finally, marriage between baptized persons has been raised by Christ to a sacrament. This means that the marriage itself becomes a unique source of grace to the couple. The

Catechism describes this grace: “This grace proper to the sacrament of Matrimony is intended to perfect the couple's love and to strengthen their indissoluble unity. By this grace they ‘help one another to attain holiness in their married life and in welcoming and educating their children’” (CCC #1641).

Marriage Nullity

Introduction

When two people enter into marriage, the Church presumes that a valid marriage has occurred. In other words, the Church presumes that the marriage bond, as described above, has been created. This is true for Catholics and for non-Catholics alike. Thus, if two Methodists who are free to marry get married in the Methodist ecclesial community (or in front of a judge, for that matter), the Catholic Church presumes that this is a valid marriage.

However, after marital life has broken down and a civil divorce has been already obtained, Catholics can approach a Church Tribunal to examine their marriage asking the question: even though a true and valid marriage seemed to have occurred, is there a reason to suspect that in actuality a valid marriage did not occur? If it can be proved that a valid marriage did not actually occur, then indeed no marriage bond was ever actually created, and thus the persons would be free to marry. When it is proved before a Church Tribunal that a valid marriage actually never occurred, the Tribunal issues a decree of nullity. **It must be emphasized again that when a man and a woman exchange consent to marry, the marriage is considered valid by the Church, and there must be substantial proof that the marriage was actually invalid.**

From this description, it is important to see that a Tribunal does not “annul a marriage” in the sense that the Tribunal does not dissolve a valid marriage bond so that the person could be free to marry. Rather, the Tribunal is declaring that there is enough proof satisfactorily to show that a true marriage bond never occurred in the first place, and thus the persons are free to marry.

Also, it should be noted that non-Catholics can approach a Church Tribunal after a divorce if they believe that their marriage is invalid. However, this can only be done by non-Catholics under certain circumstances, for example, if they wish to become Catholic or if they wish to marry a Catholic.

Tribunal where a person can petition

First, the person approaching the Tribunal seeking marriage nullity is called the “petitioner.” The “respondent” is the name for the other party (in common and civil-law parlance, the “ex-spouse”).

A person can petition the Tribunal to examine their marriage in one of three places:

- 1) The Tribunal of the diocese in which the marriage took place;
- 2) The Tribunal of the diocese in which in which the petitioner or respondent currently has a permanent residence or has a temporary residence;
- 3) The Tribunal in which the most proofs are (for example, where the most witnesses live).

What makes a marriage null?

When asking whether a marriage might be null, three things are examined: Form, Impediments, and Consent. If any of these three are proved to be invalid or have caused invalidity, then the marriage is invalid. Let’s look at them one by one:

1) Form

The form is public celebration of the marriage. For a Catholic marriage (that is, for a marriage involving at least one Catholic) the required form is the public exchange of consent (the “vows”) before two witnesses and an authorized minister (in most cases an authorized deacon, priest, or bishop). If any of these elements are missing, then the marriage is invalid.

The most common element missing from form which would render a Catholic marriage invalid is the absence of an authorized minister. To put it in plain terms, if a Catholic attempts to marry, for example, in a Protestant Church (without a dispensation from the Bishop) or before a Justice of the Peace, the marriage is invalid. Catholics must marry before an authorized minister (usually bishop, priest, or deacon). A declaration of nullity in these cases is relatively easy to obtain. It usually only involves the obtaining of certain documents (baptismal record, marriage license, divorce decree, etc.). Once all the necessary documents are obtained, it only takes the Tribunal a few days to process these cases.

So, the first question that should be asked of a Catholic who is seeking marriage nullity is: were you married in the Catholic Church?

Concerning a non-Catholic marriage (that is, for a marriage which involves two non-Catholics), the required form is the public exchange of consent before two witnesses. No authorized minister is necessary in these cases. Thus, for non-Catholic marriages, form would rarely be something that would cause nullity.

2) Impediments

Impediments are characteristics of a person that render the marriage entered into by that person invalid. Church law specifies 12 such impediments:

i) *Insufficient age*: a man must be at least 16 years old and a woman must be at least 14 years old to marry. If someone below these ages attempts to marry, the marriage is invalid;

ii) *Impotence*: at the time of marriage, if a person is physically or psychologically unable to perform the sexual act, then the marriage is invalid. Please note: this does not mean sterility;

iii) *Prior existing, valid bond* (also called impediment of “ligamen”): if one is currently bound to someone already in the marriage bond, any attempt to enter marriage with someone else would be invalid;

iv) *Disparity of Cult*: if a Catholic attempts to marry a non-baptized person, the marriage is invalid. Please note though that this impediment can be dispensed by the bishop and frequently is;

v) *Sacred Orders*: those who are in sacred orders (deacon, priest, bishop) invalidity attempt marriage;

vi) *Public perpetual vow of chastity in a religious institute*: monks, nuns, brothers, sisters, etc.

vii) *Abduction*: if a man kidnaps a woman for the purpose of marrying her, the marriage is invalid;

viii) *Conjugicide*: if a person who wishes to marry someone purposely brings about the death of someone, the marriage to that surviving spouse is invalid;

ix) *Consanguinity*: a person invalidly attempts marriage with a direct relative (Mother-Son, Grandfather-Granddaughter) and also invalidly attempts marriage in other blood relative relationships (up to and including first cousins).

x) *Relationship based on marriage*: in the direct line of relatives, marriage is invalid concerning step-children, step-grandchildren, etc.;

xi) *Relationship from invalid marriage or public concubinage*: same as number x except this impediment concerns relationship based on invalid marriage or living together and only the first degree in the direct line of relatives (mother-son, father-daughter).

xii) *Relationships based on adoption*: same as consanguinity but arising from legal adoption.

Note that impediments ii, iii, and part of ix apply to all marriages (Catholic and non-Catholic). The rest apply only to Catholic marriages, and these can be dispensed under the proper conditions.

3) Consent

Consent is the choice by the person to enter marriage. Consent is represented by the vows. The object of that choice, that is, what the person is choosing, is marriage, which is defined by the church as “partnership of the whole of life between a man and a woman that is directed to the good of the spouses and the procreation and education of children.” This partnership includes fidelity and perpetuity. It is possible that when a person enters into marriage, their consent is in some way defective. If a person’s consent is in some way defective, then the marriage is invalid. Below are some examples of how a person’s consent may be defective on the day of the marriage:

i) *Grave Lack of Judgmental Discretion*

Before a person enters into marriage, that person must be able to understand what he or she is entering, and because marriage is a life-defining choice, the person must not only be able to understand what he or she is entering, the person also must be able to understand it in a life-defining way. For example, marriage includes fidelity. Before entering marriage a person must be able to understand what fidelity is and also understand what it means to give themselves to fidelity in marriage for the rest of their lives. The same must be said concerning their understanding of the perpetuity of marriage, of the necessity to be open to procreation and education of children, of the sacramentality of marriage between baptized persons, and of the orientation of marital life toward the good of one’s spouse.

Also, a person must have sufficient maturity and sufficient freedom to choose marriage.

The Church presumes that every human, after a certain age (16 for males and 14 for females), has the understanding, maturity, and freedom validly to choose marriage. However, it may happen that a person suffers from a serious psychological problem such as severe depression, bi-polar disorder, personality disorder, etc., (or such things as alcoholism, chronic drug abuse, underdeveloped psyche, etc.) which renders the person incapable of sufficiently understanding what they are choosing or which robs them of the maturity or freedom validly to enter into marriage. In these cases, the person is said to “gravely lack judgmental discretion.” People who gravely lack judgmental discretion are

not able validly to enter into marriage because they are incapable of sufficiently discerning the choice they are making to marry or they lack the maturity or freedom to make such a life-defining choice.

ii) *Inability to Assume the Essential Obligations due to a Psychic Cause*

When one enters into marriage, one must be able to do what one is promising. If, because of a psychic defects, one is unable to take on the essential obligations of marriage (fidelity, openness to children, perpetuity, ordering of the marriage for the good of their spouse), then the marriage is invalid.

Examples of such psychic defects would include such things as homosexuality, severe alcoholism, sexual disorders, severe personality disorders, narcissism, borderline personality disorders.

iii) *Fraud or Imposed Error*

If, before the marriage, in order to obtain the consent of the other person to marry, a person deceives the person they wish to marry about a quality which would gravely disturb marital life, then the marriage is invalid. For example, a woman knows that she has deep-seated same sex attraction. However, throughout the courtship she deceitfully conceals this from her intended spouse because she knows that, if he knew, he would not consent to marry her. The marriage would be invalid because the man has been fraudulently denied the full truth concerning who he was marrying.

Another example. A woman during the engagement becomes pregnant by another man. However, because the couple had been engaging in sexual relations during their engagement, the man was led by the woman to believe that the child was his, although she knew for certain that it was not. The marriage would be invalid because he was denied the knowledge that he was not marrying the mother of his child.

iv) *Total Simulation*

If a person goes through a marriage ceremony without the intent really to marry, then the marriage is invalid. In other words, on the wedding day, the person lies. Such simulation is always based on a serious motive, such as, the unwillingness to let family down, the need to provide a parent for a child, etc.

v) *Partial Simulation*

A person desires to marry but, at the time of the marriage, excludes from their marriage some essential part of what marriage is (good of the spouses, procreation and education of children, unity, indissolubility, sacramentality), the marriage is invalid.

vi) *Force and Fear*

If a person enters a marriage because of force or grave fear which is externally inflicted such that a person is compelled to choose marriage in order to be freed from it, the marriage is invalid. So for example, a 17 year old girl gets pregnant. Her father demands that she marry in order not to shame the family and threatens that if she does not marry, she will be shunned from the family. If these circumstances force her to marry against her will in order to avoid her family's indignation and abandonment, then the marriage is invalid.

Proof of Marriage Nullity

As mentioned above, marriages are presumed valid by the Church, and there must be substantial proof that the marriage was actually invalid in order for a judge to declare the invalidity of a marriage. In some cases, it is sufficient to provide only documentary proof. For example, if a Catholic, without dispensation, did not marry in front of an authorized bishop, priest, or deacon (casually referred to as “marrying outside the Church) it usually can be proved that the marriage is invalid through documents only. In the case of Catholics who marry outside the Church, a priest in the parish meets with the person to fill out the “Defect of Form” paperwork which is then sent by the priest to the Tribunal.

However, in many cases a formal trial is necessary. What is on trial is the marriage bond. In other words, the question to be decided by the ecclesiastical court is: has it been proved that the marriage was invalid? Further, to determine invalidity, the court must look specifically at the time of the marriage, that is, at the moment when the vows were exchanged. What comes before this moment and what happens after this moment can be admitted as evidence for or against the marriage bond, but what is being judged is whether it has been proved that a marriage bond did not come into existence **at the moment the vows were exchanged.***

It is the responsibility of the party who is claiming that the marriage is invalid to offer proofs substantiating the claim of invalidity. Such proofs include the petitioner’s own testimony, the respondent’s testimony (if the respondent will cooperate), the testimony of witnesses who are named, documentary proofs (such as premarital forms, divorce decrees, arrest records, civil court documents, etc).

In some cases, the church requires a party to submit to a personal psychological evaluation by a psychological professional. Such evaluation is not only required by Church law in some cases, it is an invaluable tool to help the judge determine a person’s psychological capabilities at the time of marriage. Sometimes petitioners balk at the necessity of submitting themselves to such an evaluation. **The importance of this evaluation, when required, cannot be emphasized enough, and a petitioner who refuses to submit to this evaluation deprives the judge of a valuable piece of evidence.**

At this point, a final exhortation needs to be made to petitioners regarding proofs. Proving the nullity of a marriage is not like applying for a credit card, that is, it is not enough for a petitioner simply to fill out the initial forms, give his or her testimony, and then expect the Tribunal to do the rest of the work and automatically to issue a decree of nullity in the end. Petitioners must be **active and engaged** throughout the whole process

* So, for example, adultery committed by one of the parties after the marriage may indicate in some way that the consent of the person was invalid, but adultery of itself does not make invalid a marriage that was valid from the beginning.

and should listen carefully to the advice their advocates* give them and follow through on what is asked of them. Otherwise, they risk depriving the judge of the information needed to make a just decision.

One final point needs to be kept in mind. Not every marriage which breaks down is invalid, and if the proof does not exist to determine invalidity, the judge is duty-bound to declare that invalidity has not been proved. However, this point should not discourage a person from petitioning for marriage nullity as there could be good reasons to believe that the marriage was, indeed, invalid.

The Process

The law of the Church prescribes a particular procedure which must be followed in a marriage nullity trial. Although it might seem a bit complex, all the steps are necessary in order to protect the rights of all involved: the petitioner, the respondent, and the Church.

1) Petitioner meets with parish priest to receive introductory form and explain documents needed to begin. This priest or pastoral minister will remain the pastoral contact for the petitioner throughout the process. If possible, priest or delegated pastoral minister meets also with the respondent to assess his/her desired involvement/agreement with a potential petition for marriage nullity.

2) Parish priest checks to make sure all the required documents have been collected and then sends all introductory materials to Fort Wayne or South Bend Tribunal

3) Presentation of the petition

With the help of the advocate, the petitioner will formulate a petition which speaks in plain words why he or she believes that the marriage was invalid.

4) Determination of competence

The Judicial Vicar* determines if he is competent to take the case, that is, whether the Tribunal is able to take the case as one of the four places noted above.

5) Preliminary Investigation

The petitioner is interviewed in a one on one personal interview in the Tribunal.

6) Rejection or acceptance of the petition

The Judicial Vicar determines from the petitioner's interview whether there is any basis to pursue further investigation.

* Advocates are trained to assist the petitioner and the respondent through the marriage nullity process and to argue on their behalf. They are chosen by petitioners and respondents or are assigned to them by the Tribunal.

* The Judicial Vicar is appointed by the Diocesan Bishop to administer the Tribunal.

7) The Citation of the Respondent

The respondent is sent a letter asking if he wishes to participate in the Trial. Please note: the respondent must be contacted and given the opportunity to participate. If, for some reason, the petitioner refuses to give the contact information of the respondent, the trial cannot proceed. If the whereabouts of the respondent are unknown, the trial can still proceed but only after a good faith attempt has been made to determine the whereabouts of the respondent.

8) The Joinder of the issue (or the "Formulation of the Doubt")

The Judicial Vicar determines the exact canonical ground to be investigated. An example of how the doubt might be formulated would be: “whether or not the marriage in question is null and void on the grounds of the grave lack of judgmental discretion on the part of the petitioner” or “whether or not the marriage in question is null and void on the grounds of the exclusion of fidelity on the part of the respondent.”

9) Determination of process

The Judicial Vicar now determines whether the case will be handled in the normal way or through the short process to be judged by the bishop. Please note: In order for this shorter process to be used several conditions must apply: both parties must agree on the nullity of the marriage, both parties must agree to the shorter process, and the nullity of the marriage must seem from the outset to be manifest.

10) Constitution of the Tribunal

If the normal process is to be used, a specific judge is assigned to administer and adjudicate the case.

11) Instruction of the cause

In this step the rest of the proofs are gathered: declarations of the parties, witness testimony, civil court documents, other documentary evidence, reports of psychological experts, etc.

12) Publication of the Acts

The parties and their advocates have the right to inspect the acts of the cause and make comments. In plain terms, the petitioner can read the testimony of the respondent and the witnesses and make comments, and the respondent can read the testimony of the petitioner and the witnesses and make comments. Please note that the witnesses never have access to the testimony of the petitioner and respondent or the other witnesses.

This is a most important part of the process, and it is often crucial that the petitioner come to the Tribunal to read through this testimony and make comments.

It is during this step that the petitioner (and respondent) has the opportunity to make clarifications and explain any contradictions.

13) Conclusion of the Cause

14) **Discussion of the Cause**

Written arguments are submitted by the advocates and the Defender of the Bond.* The advocate for the petitioner argues as to why marriage nullity should be declared while the Defender of the Bond argues as to why marriage nullity should not be declared.

15) **Pronouncement of the Judge and Publishing of Sentence**

After examining the entire case, the judge rules as to whether it has been proved that the marriage is invalid, and the petitioner and respondent then have a right to come to the Tribunal to read his decision.

16) **The Appeal**

a) Appeals can be made to a higher Tribunal by those who feel aggrieved by a decision. The appeals court for Fort Wayne-South Bend is the Metropolitan Tribunal of the Archdiocese of Indianapolis.

b) In marriage nullity cases, judgments made in the AFFIRMATIVE, that is, the nullity of the marriage has been proved, can be appealed by the Respondent or the Defender of the Bond to the Metropolitan Tribunal of the Archdiocese of Indianapolis or directly to the Roman Rota. If no appeal is made after 15 useful days, the sentence is executed and the parties are free to marry.

c) In marriage nullity cases, judgments made in the NEGATIVE, that is, the nullity of the marriage has not been proved, can be appealed by either party to the Metropolitan Tribunal of the Archdiocese of Indianapolis or directly to the Roman Rota.

* The Defender of the Bond is a canon lawyer assigned to the case who has the job of making sure that the procedures are properly followed and of arguing as to why marriage nullity should not be granted.

Marriage Dissolution

Non-sacramental marriages, that is, marriage in which at least one of the parties is not baptized, can be dissolved under certain conditions.

Pauline Privilege

When both parties are non-baptized and one of the parties becomes baptized (in any denomination) and they divorce because the non-baptized party leaves the marriage, under certain conditions, the marriage can be dissolved when the baptized party marries another baptized person.

These cases are handled through the Tribunal.

Privilege of the Faith Dissolution

When a non-sacramental marriage breaks up through divorce and one of the parties meets someone who they wish to marry, if the new marriage represents a “step up” in favor of the faith, the Holy Father can dissolve the old marriage so that the new marriage can be entered. A “step up”, for example, would be moving from a non-sacramental marriage to a sacramental marriage or from being married to a Protestant to being married to a Catholic.

The preliminary work for these cases is handled by the Tribunal and then sent to Rome for the Pope’s approval. This is not as complicated as it might sound as we send these kinds of cases regularly to Rome.

FAQ's

How long do annulment cases take? *The amount of time can vary depending on the case. If all goes well, the general time frame is a little over a year, but this can be longer or even shorter depending on the grounds of nullity being investigated, how easily it is to obtain witness testimony, the length of time it takes to obtain a psychological evaluation, etc. An appeal can add another year or more to the process.*

How long do dissolution cases take? *If the evidence is easily obtained, Pauline Privilege cases can take as little as one month. Privilege of Faith cases generally take one year, six months for the preparatory work in our diocese and six months in Rome.*

How much does an annulment cost? *The Diocese no longer charges for the administrative fees involved in marriage nullity cases.*

However, if a psychological evaluation is required for a case, the petitioner is asked to assume the cost of that evaluation. Psychologist fees usually range from \$350-\$800. The Tribunal picks up the cost for psychological evaluations of respondents. Also, please note that the Tribunal is more than willing to offer financial aid for psychological evaluations in cases of financial hardship.

For any cases appealed to the Roman Rota, there is an \$850 administrative fee which must be sent to the Roman Rota at the time of the appeal. For cases appealed the Roman Rota, the party would be fully responsible for the administration fee as there is no financial assistance available for this fee.

The services of the advocates are paid by the Tribunal unless a party chooses to employ their own advocate outside of the Tribunal.

What if the respondent will not cooperate? *Many times, the cooperation of the respondent is crucial to the proving of marriage nullity, especially if the grounds to be investigated are on the respondent. However, the lack of cooperation of the respondent does not necessarily mean that the case cannot proceed. It is possible that marriage nullity could be proved in cases which lack the respondent's cooperation, especially if there is solid witness corroboration for the facts being asserted.*

Do I have to contact the respondent? *The petitioner never has to make any contact with the respondent. The Tribunal handles all contacts with the respondent. However, it may be beneficial for the petitioner to inform the respondent that a marriage nullity process is about to begin, but it is not required to do this.*

Who do I contact if I have questions or are confused about my case? *One should always contact their advocate with questions or confusion about their case. Also, your parish priest can always contact the judge directly in order to get an update on your case.*

Does declaring a marriage invalid make the children from that marriage illegitimate? *No. The Church says definitively that children coming from a marriage which is later declared invalid are still legitimate.*