

Revised September, 2002

IMPORTANT INFORMATION TO INCUMBENT COMPLETING THE PRO-FORMA

When a couple approaches you regarding re-marriage and after getting the details, you decide to proceed, it is essential that you spend one session in discussion about Canon XX1 and the work of the Matrimonial Commission and in studying in detail together, the essential Pro-Forma.

Ask the couple to take the Pro-Forma with them and fill out the answers **separately, completely and in their own words and in their own handwriting.**

Signatures and dates may be added at a follow-up session. **ON NO ACCOUNT** should the Incumbent do the work for them though he/she may later point out any omission which should be added.

INCUMBENT REPORT

This report, at best, is inadequate. The Commission can more effectively make a decision when the Incumbent adds a personal letter about pertinent matters not covered by the questions, such as interviews, attitudes, observations and the applicants' expectations.

CERTIFICATE OF DIVORCE

The Canada Divorce Act of September, 1986 provides for a simple single "Certificate of Divorce" in place of the forms "Decree Nisi" and "Decree Absolute".

To obtain the information needed to understand and to make recommendations, the Commission requests that you **ask and report, as much as possible about the former marriage(s) breakdown, including the legal cause of divorce, as well as the personal opinions about the breakdown, which party made the divorce petition and what other agreements or orders may have been involved in the divorce proceedings.**

If an applicant has had more than one former marriage, the Commission **must have a copy of legal divorce(s) in each case, or be informed about the death of a former partner.**

In Bishop Young's letter, dated February, 2002 he stated, "Over the past number of months, I have received calls regarding wedding for couples who are other than Anglican. It should be clearly understood that we are not to marry couples, neither of whom are Anglican".

PLEASE RETAIN A COPY OF YOUR PRO-FORMA UNTIL APPROVAL HAS BEEN GRANTED BY THE MATRIMONIAL COMMISSION.

IT IS ESSENTIAL THAT THE FOLLOWING MATTERS BE OBSERVED DURING PREPARATION OF APPLICATION FOR PERMISSION TO RE-MARRY IN THE ANGLICAN CHURCH UNDER CANON XX1, PART IV, FOR FUTURE REPORTING TO THE MATRIMONIAL COMMISSION.

1. In a proposed marriage or re-marriage **60 DAYS NOTICE MUST** be given by the parties to the Incumbent (unless Episcopal permission is granted). The Matrimonial Commission **strongly recommends** that the notification given to the Incumbent be a period of at least **90 DAYS** to ensure adequate time for preparation and counselling.
2. **An impediment** exists in law until the Certificate of Divorce is proclaimed. The reasons are contained in the Divorce Act:
 - a. Until the divorce is made absolute, the judgement may be contested. The Decree could be delayed or set aside;
 - b. The law recognizes that until the Certificate of Divorce is proclaimed there could be a reconciliation of the parties. They are still legally married, not divorced; and
 - c. Marriage licenses may not be legally applied for until the certificate is issued nor may bans be called.
3. The Ecclesiastical Matrimonial Commission of the Diocese meets monthly to review applications (**4th Thursday of the month**).
4. At least **90 DAYS** should be allowed the Commission to meet, consider and recommend the application.
5. **Clergy are advised to avoid pressure of hasty applications and a fixed date for marriage not as yet approved by the Commission.**
6. The Commission often has difficulty in decision-making due to a lack of information, especially when the Incumbent knows little or nothing first hand of a previous marriage. Whenever possible in these instances, applicants should provide evidence, especially concerning efforts made towards reconciliation and the actual causes of the breakdown. **Please ensure all information known is included in the Pro-Forma or the Incumbent's Report.**

NOTES:

1. **A certified copy of the Certificate of Divorce must accompany the pro-forma. This must be signed, "certified true copy of the original certificate for" then signed and dated by the Incumbent. Copies of any other documents (eg. Agreements) may be helpful. This also applies to any previous divorce(s) by either party.**
2. **Please attach extra sheets for answers whenever necessary.**
3. **WHEN COMPLETED THE PRO-FORMA IS CONSIDERED "CONFIDENTIAL".**

CONFIDENTIAL WHEN COMPLETED

THIS PAGE IS TO BE PRINTED COMPLETELY BY THE INCUMBENT

Current date: _____ **Date of Proposed Marriage:** _____

Applicants' names: _____

Parish: _____

Incumbent: _____

Male: _____ **Female:** _____

PLEASE COMPLETE INFORMATION FOR BOTH PARTIES

Name of present Church affiliation Name of present Church Affiliation

Denomination: _____

Age: _____

Marital Status: _____

Date of previous marriage(s): _____

Date of separation: _____

Length of marriage: _____

Divorce grounds: _____

Divorce petitioner: _____

Decree Nisi _____ **Absolute** _____

Cert. of divorce: _____

No. of children: _____

Who has custody? _____

Amt of support per month: _____

Paid by whom: _____

Present living status: _____

NAME OF PERSON(S) MAKING APPLICATION TO THE MATRIMONIAL COMMISSION OF CENTRAL NEWFOUNDLAND FOR PERMISSION TO BE MARRIED ACCORDING TO THE RITES OF THE ANGLICAN CHURCH OF CANADA.

MALE

FULL NAME: _____

FULL ADDRESS: _____

OCCUPATION: _____

DATE OF BIRTH: _____

MARITAL STATUS (single/divorced/widowed) : _____

RELIGIOUS AFFILIATION: _____

FEMALE

FULL NAME: _____

FULL ADDRESS: _____

OCCUPATION: _____

DATE OF BIRTH: _____

MARITAL STATUS (single/divorced/widowed) : _____

RELIGIOUS AFFILIATION: _____

MALE APPLICANT _____
(if divorced) (first name)

Please complete the following for EACH FORMER MARRIAGE. If you were divorced at the time of your previous marriage, please provide official photocopies of the decree(s) or certificate(s) of divorce.

NAME: _____

DATE OF MARRIAGE: _____

NAME OF SPOUSE: _____

AGE AT TIME OF MARRIAGE: _____

SPOUSE'S AGE AT TIME OF MARRIAGE: _____

MARRIED IN WHICH CHURCH: _____

PLACE OF MARRIAGE (municipality/province/country): _____

NAME OF OFFICIANT: _____

DATE OF FINAL SEPARATION: _____

DATE OF DECREE ABSOLUTE OR DIVORCE: _____

IS FORMER SPOUSE RE-MARRIED? _____

NAME/ADDRESS OF FORMER SPOUSE: _____

NOTE: SCHEDULE "D" OF CANON XX1 PROVIDES THAT ANY FORMER PARTNER TO A MARRIAGE MAY BE NOTIFIED OF THE PRO-FORMA AND PROVIDED WITH A COPY OF THE APPLICATION FOR COMMENT.

MALE APPLICANT _____
(first name)

1. How long, and in what circumstance, have you known each other?

2. The full reasons for your confidence that your proposed marriage will be stable:

3. If divorced, what, if anything, have you learned from your experience and knowledge of the broken marriage(s) that you see helpful to this new relationship?

MALE APPLICANT _____
(first name)

DENOMINATION: _____

BAPTISED? Yes _____ No _____

CONFIRMED? Yes _____ No _____

PRESENT PARISH: _____

How often do you receive Holy Communion? _____

What has been your past and your present relationship with the Church? _____

Christian life and worship nurtures commitment in marriage. You will be welcome to share fully in the life of the Anglican Church. What will be your commitment to the Anglican Church Community following your marriage? _____

TO THE MALE APPLICANT, _____, if you have a child/children from a previous marriage(s) and/or previous/present relationship(s).

Please give the full name, full address and ages of any child/children born to your marriage(s) or previous/present relationship(s).

Full Name: _____ **Age** _____

Full Address: _____

Full Name: _____ **Age** _____

Full Address: _____

Full Name: _____ **Age** _____

Full Address: _____

Full Name: _____ **Age** _____

Full Address: _____

PLEASE USE AN ADDITIONAL SHEET IF NECESSARY

MALE APPLICANT _____
(first name)

PLEASE STATE

Who now has custody of the child/children? _____

With whom are they now living? (full name & relationship) _____

Address: _____

Who is responsible for support of the child/children? _____

What financial support is now being given to the child/children and how are they being fulfilled? _____

What are your financial responsibilities, if any, to your former spouse(s) and/or child/children of any former marriage(s) or relationship(s)? _____

TO THE MALE APPLICANT if you have a child/children from a previous marriage(s) or previous/present relationship(s).

What is the attitude of each child/children of your previous marriage(s) or previous/present relationship(s), to your proposed marriage?

How do you see the child/children relating to both of you in your proposed marriage?

My answers to the above question are complete and true.

(please sign your full name)

FEMALE APPLICANT _____
(if divorced) (first name)

Please complete the following for **EACH FORMER MARRIAGE**. If you were divorced at the time of your previous marriage, please provide the Decree(s) or certificate(s) of divorce.

NAME: _____

DATE OF MARRIAGE: _____

NAME OF SPOUSE: _____

AGE AT TIME OF MARRIAGE: _____

SPOUSE'S AGE AT TIME OF MARRIAGE: _____

MARRIED IN WHICH CHURCH: _____

PLACE OF MARRIAGE (municipality/province/country): _____

NAME OF OFFICIANT: _____

DATE OF FINAL SEPARATION: _____

DATE OF DECREE ABSOLUTE OR DIVORCE: _____

IS FORMER SPOUSE RE-MARRIED? _____

NAME/ADDRESS OF FORMER SPOUSE: _____

NOTE: SCHEDULE "D" OF CANON XX1 PROVIDES THAT ANY FORMER PARTNER TO A MARRIAGE MAY BE NOTIFIED OF THE PRO-FORMA AND PROVIDED WITH A COPY OF THE APPLICATION FOR COMMENT.

FEMALE APPLICANT _____
(first name)

1. How long, and in what circumstance, have you known each other? _____

2. The full reasons for your confidence that your proposed marriage will be stable:

3. If divorced, what, if anything, have you learned from your experience and knowledge of the broken marriage(s) that you see helpful to this new relationship?

FEMALE APPLICANT _____
(first name)

DENOMINATION: _____

BAPTISED? Yes _____ No _____

CONFIRMED? Yes _____ No _____

PRESENT PARISH: _____

How often do you receive Holy Communion? _____

What has been your past and your present relationship with the Church? _____

Christian life and worship nurtures commitment in marriage. You will be welcome to share fully in the life of the Anglican Church. What will be your commitment to the Anglican Church Community following your marriage? _____

TO THE FEMALE APPLICANT, _____ if you have a child/children from a previous marriage(s) and/or previous/present relationship(s).

Please give the full name, full address and ages of any child/children born to your marriage(s) or previous/present relationship(s).

Full Name: _____ **Age** _____

Full Address: _____

Full Name: _____ **Age** _____

Full Address: _____

Full Name: _____ **Age** _____

Full Address: _____

Full Name: _____ **Age** _____

Full Address: _____

FEMALE APPLICANT _____
(first name)

PLEASE STATE

Who now has custody of the child/children? _____

With whom are they now living? (full name & relationship) _____

Address: _____

Who is responsible for support of the child/children? _____

What financial support is now being given to the child/children and how are they being fulfilled? _____

What are your financial responsibilities, if any, to your former spouse(s) and/or child/children of any former marriage(s) or relationship(s)? _____

TO THE FEMALE APPLICANT if you have a child/children from a previous marriage(s) or previous/present relationship(s).

What is the attitude of each child/children of your previous marriage(s) or previous/present relationship(s), to your proposed marriage?

How do you see the child/children relating to both of you in your proposed marriage?

My answers to the above question are complete and true.

(please sign your full name)

DECLARATION

We, thereto, declare that we intend to enter into marriage, we acknowledge to be a union of faithful love, to the exclusion of all others on either side for better, for worse, until we are separated by death.

We undertake to prepare ourselves for the exchange of vows at our wedding, recognizing that by this mutual exchange, our union in marriage will be established.

We intend to strive thereafter to fulfil the purposes of marriage; the mutual fellowship, support and comfort of one another, the procreation, (if it may be) and the nurture of children, and the creation of a relationship in which sexuality may serve personal fulfilment in a community of faithful love.

Male

Female

Incumbent

Date

REPORT OF THE INCUMBENT

The report of the Incumbent is of vital importance to the Commission in determining its recommendations to the Bishop. The Commission, therefore, respectfully requests that the Incumbent make as thorough a written report as possible, including, but not limited to, the following points.

How long have you known the applicants? _____

Describe the number and nature of the interviews you have had with the applicants? _____

What is your pastoral relationship to the applicants? _____

What is your relationship to the applicants likely to be in the future? _____

**ANNEX "A" - Declaration of special assurance by a Roman Catholic party.
To be attached to the Pro-Forma when required.**

Date: _____

**THE MATRIMONIAL COMMISSION OF
THE DIOCESE OF CENTRAL NEWFOUNDLAND**

**TO BE USED WHEN ONE PARTY IS A MEMBER OF THE ROMAN CATHOLIC
CHURCH. DECLARATION OR SPECIAL ASSURANCE (by Roman Catholic Party).**

NOTE: Canon XX1 permits the re-marriage of divorced persons in certain cases without respect to their Church affiliation. An application may be received in which one party may be adherent of the Roman Catholic Church whose canonical marriage discipline is different from the requirements of Canon XX1. In such a case, it is unethical on our part to strain Church relations by interference with the application or roman discipline on its members. Therefore, it is essential that where one party in an application is Roman Catholic, and intends to remain a Roman Catholic, there be special assurance that the following matters be discussed fully with the applicants, and that the document entitled: Pastoral Guidelines for Inter-Church Marriage between Anglicans and Roman Catholics in Canada be followed.

(to be attached to the Pro-Forma)

1. Full Name: _____

2. Have you made application to any Roman Catholic Commission or Tribunal for dispensation from an impediment to re-marriage? Yes _____ No _____

If "yes", where? _____

when? _____

3. What was the nature of the specific request? _____

4. What was the formal response (please give full details)? _____

It is our understanding that under the Canon Law of the Roman Catholic Church, approval of your joint application to the Matrimonial Commission of Central Newfoundland and subsequent re-marriage would result in your marriage not being recognized as valid by the Roman Catholic Church. Is there at this time any intention on your part to seek restoration to Communion and possible recognition of this union through re-marriage in the Roman Catholic Church, or by application to Roman authorities for annulment of a previous marriage should the opportunity arise?

Yes _____

No _____

Signature: _____ Date: _____