

Dissolutions And Other Information

What is the favor of the faith?

The favor of the faith is a favor granted by the Pope which dissolves the marriage between a baptized person and an unbaptized person so that a Catholic can enter a new marriage recognized by the Church. The advantage of the favor of the faith is that its process investigates the present and the recent past, so information is easier to find. Also, the topics investigated are less sensitive than in a formal process. Also, some respondents will not accept a decree of nullity, but will accept a dissolution of the marriage bond. The disadvantage of the favor of the faith is that not everyone can use it.

Some people call the favor of the faith “the Petrine privilege”.

When can my petitioner use the favor of the faith?

There are two situations in which your petitioner can use the favor of the faith. In the first situation, your petitioner is the one who is not baptized. In the second situation, your petitioner is baptized but the respondent is not baptized.

In the first situation, your petitioner can benefit from the favor of the faith if all of the following are true.

1. Your petitioner has never been baptized.
2. Your petitioner now has someone whom your petitioner would like to marry in the Catholic Church.
3. Your petitioner was not the primary reason the marriage to the respondent broke down.

In the second situation, your petitioner can benefit from the favor of the faith if all of the following is true.

1. The respondent has never been baptized.
2. The respondent is willing to participate in the process for the favor of the faith.
3. Your petitioner now has someone whom your petitioner would like to marry in the Catholic Church.
4. Your petitioner was not the primary reason the marriage to the respondent broke down.

If you think that the respondent will refuse cooperation, but relatives who knew the respondent as an infant will participate, contact the Tribunal to discuss your petitioner’s situation.

What can I expect during the process for the favor of the faith?

The Tribunal will send you a questionnaire for you to complete with the petitioner. The Tribunal will ask your petitioner’s pastor a letter of recommendation. You will need to gather some documents. The Tribunal will contact the respondent and some witnesses. When everything necessary has been returned to the Tribunal by the petitioner, respondent and witnesses, the Tribunal will petition the Pope for the favor of the faith.

How long does it take to receive the favor of the faith?

It may take you and the petitioner a couple months to complete the questionnaire and gather the necessary paperwork. Sometimes witnesses or the respondent delay a long time in responding to the Tribunal. If you think that the respondent or the witnesses are unlikely to respond to questionnaires but would agree to an interview, please inform the Tribunal. After receiving all the necessary responses and documents, the Tribunal may take up to 2 months to submit the petition. The Holy See usually responds in 6 months or less.

What is the Pauline privilege?

The Pauline privilege is a favor granted by the law of the Church which dissolves the marriage between two people who before marriage were never baptized so that a Catholic can enter a new marriage recognized by the Church. The advantage of the favor of the faith is that its process investigates the present and the recent past, so information is easier to find. Also, the topics investigated are less sensitive than in a formal process. Also, some respondents will not accept a decree of nullity, but will accept a dissolution of the marriage bond. Also, the whole process can be completed locally without writing to the Pope. The disadvantage of the favor of the faith is that not everyone can use it.

When can my petitioner use the Pauline privilege?

Your petitioner can benefit from the favor of the faith if all of the following are true.

1. Your petitioner now has someone whom your petitioner would like to marry in the Catholic Church.
2. Your petitioner's former spouse has never been baptized: not before marriage, and not now, and does not now desire to be baptized.
3. Your petitioner had never been baptized before the marriage to the respondent.
4. Your petitioner has now been baptized or now seeks baptism.
5. Your petitioner was not the primary reason the marriage to the respondent broke down, **or**, if your petitioner was the primary reason the marriage to the respondent broke down, that all sins by which your petitioner broke the marriage took place before your petitioner sought baptism.
6. The respondent refuses to resume marital life with your petitioner, **or**, if the respondent is willing to resume marital life with your petitioner, the respondent will only do this under conditions which it would be wrong for your petitioner to accept.

Petitioning for the Pauline privilege normally requires some cooperation on the part of the respondent. If you think that the respondent will be refuse any cooperation, contact the Tribunal to discuss your petitioner's situation.

What can I expect during the process for the Pauline privilege?

The Tribunal will send you a questionnaire for you to complete with the petitioner. You will need to gather some documents. The Tribunal will contact the respondent and some witnesses. When everything necessary has been returned to the Tribunal by the petitioner, respondent and witnesses, the Tribunal declare that the petitioner may pass to a new marriage.

Is there a cost for Tribunal process?

The fee charged by the Tribunal depends on what process is used:

Formal case, favor of the faith, or Pauline Privilege	\$ 750
Ligamen process	\$ 200
Lack of form process	\$ 100
Briefer process	no fee

The Tribunal incurs considerable expenses each year, primarily as the result of paying salaries for for six staff members, occupancy costs, and paying psychological experts for their services. Only one third of the Tribunal's expenses are covered by the fees received by the Tribunal. The rest of the expenses are paid by the Archdiocese of St. Louis.

The Metropolitan Tribunal of St. Louis has never refused a case because someone was unable to pay. Financial difficulty is never an obstacle to starting the a Tribunal process. If a petitioner has trouble paying for a case, the petitioner and advocate can ask the Judicial Vicar to reduce or eliminate the fee.

What is the internal forum solution?

The internal forum solution is an application of moral theology which permits some Catholics to receive the sacraments of Penance and Eucharist even though they are cohabitating without a marriage recognized by the Church.

The internal forum solution does **not** permit a priest to marry privately or secretly a man and woman whose marriage cannot be recognized by the Church. The internal forum solution does **not** make valid a civil marriage contracted invalidly in the eyes of the Church. The internal forum solution is **not** a replacement for normal Tribunal processes seeking the regularization of an invalid union.

When can my petitioner use the internal forum solution?

Saint John Paul II described the conditions for the internal form solution: "Reconciliation in the sacrament of Penance which would open the way to the Eucharist, can only be granted to those who, repenting of having broken the sign of the Covenant and of fidelity to Christ, are sincerely ready to undertake a way of life that is no longer in contradiction to the indissolubility of marriage. This means, in practice, that when, for serious reasons, such as for example the children's upbringing, a man and a woman cannot satisfy the obligation to separate, they "take on themselves the duty to live in complete continence, that is, by abstinence from the acts proper to married couples" (Familiaris Consortio n. 84).

To use the internal forum solution, the following conditions must be true.

1. Your petitioner is willing to repent of past sins by making a good confession.
2. Your petitioner and the petitioner's current partner agree to live as brother and sister, i.e., without any sort of sexual relations.
3. Your petitioner has objectively important reason which makes it very difficult for them to live in a home separate from the petitioner's current partner. Some examples might be young children which they are raising together, or advanced age or ill-health on the part of your petitioner or your petitioner's current partner.
4. Your petitioner's reception of Holy Communion will not give scandal to other people in the community.
5. Something prevents your petitioner and their current partner from marrying in the Church.

If you think that your petitioner may meet these criteria, talk to your petitioner's pastor and then encourage them to approach the pastor in the Sacrament of Penance.