



MARRIAGE AND REMARRIAGE AFTER DIVORCE IN THE EPISCOPAL CHURCH AND THE DIOCESE OF WESTERN KANSAS

The Episcopal Church's general rules concerning Holy Matrimony are contained in Title I, Canon 18 of the Constitution and Canons of the Episcopal Church. A copy of Canon 1.18, as revised by the 78th General Convention is enclosed. Please read it carefully.

Please note, that as it has always been: **"It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize or bless any marriage" (Canon 1.18(7)).**

The Episcopal Church's rules for the re-marriage of persons after a divorce are contained on Title I, Canon 19 of the Constitution and Canons of the Episcopal Church. A copy of Canon 1.19 is enclosed. Please read it carefully.

Non-Parishioners

Occasionally Episcopalians go to some priest other than their own rector or vicar to seek remarriage after a divorce. It is essential in such cases for the priests to consult one another before one of them agrees to officiate at a wedding.

Non-Episcopalians

Sometimes the unchurched or those who are part of another Christian tradition will come to an Episcopal priest to be remarried in the Episcopal Church. Please remember that it is often a desire, perhaps subconscious, to connect with God when people come to church. Please treat these people with the same respect and seriousness that members of our own tradition are treated. Our priests are free, of course to decline to officiate at any such marriage. In any such proposed remarriage, the permission from the bishop is necessary.

Any questions should be addressed to the Bishop of Western Kansas. Also, clergy should see a copy of final divorce decree to make sure they are signed and have been filed with appropriate court.

One final note. Regardless of whether the marriage is performed in a church, outside in a park, the backyard, or wherever, all Canons still apply.

Attached is a check-list for your use, and a copy of the Declaration of Intention, and an information form.

Again, if you have any questions do not hesitate to call the Bishop.

The Diocese of Western Kansas Marriage Information Form



Date of Application _____

Applicant #1:

Full Name _____

Address _____

Home Phone _____ Cell Phone _____ Email _____

Age _____ Date of Birth _____ # Of Previous Marriages _____

Occupation _____

Baptized? _____ Confirmed? _____ Communicant? _____

Father's Full Name _____

Mother's Full Maiden Name _____

Applicant #2:

Full Name _____

Address _____

Home Phone _____ Cell Phone _____ Email _____

Age _____ Date of Birth _____ # Of Previous Marriages _____

Occupation _____

Baptized? _____ Confirmed? _____ Communicant? _____

Father's Full Name _____

Mother's Full Maiden Name _____

Date & Time of Wedding _____

Location of Wedding _____

Date & Time of Rehearsal _____

Witnesses _____

Holy Communion? _____

Music Selections _____

Florist _____ Phone # _____

Comments: _____



The Episcopal Church's Canons Concerning Marriage

CANON 1.18: Of the Celebration and Blessing of a Marriage

(Effective Advent 1, 2015)

Sec. 1. Every Member of the Clergy of this Church shall conform to the laws of the State governing the creation of the civil status of marriage, and also these canons concerning the solemnization of marriage. Members of the Clergy may solemnize a marriage using any of the liturgical forms authorized by this Church.

Sec. 2. The couple shall notify the Member of the Clergy of their intent to marry at least thirty days prior to the solemnization; Provided, that if one of the parties is a member of the Congregation of the Member of the Clergy, or both parties can furnish satisfactory evidence of the need for shortening the time, this requirement can be waived for weighty cause, in which case the Member of the Clergy shall immediately report this action in writing to the Bishop .

Sec. 3. Prior to the solemnization, the Member of the Clergy shall determine:

- (a) that both parties have the right to marry according to the laws of the State and consent to do so freely, without fraud, coercion, mistake as to identity of either, or mental reservation; and
- (b) that at least one of the parties is baptized; and
- (c) that both parties have been instructed by the Member of the Clergy, or a person known by the Member of the Clergy to be competent and responsible, in the nature, purpose, and meaning, as well as the rights, duties and responsibilities of marriage.

Sec. 4. Prior to the solemnization, the parties shall sign the following Declaration of Intention: *We understand the teaching of the church that God's purpose for our marriage is for our mutual joy, for the help and comfort we will give to each other in prosperity and adversity, and, when it is God's will, for the gift and heritage of children and their nurture in the knowledge and love of God. We also understand that our marriage is to be unconditional, mutual, exclusive, faithful and lifelong; and we engage to make the utmost effort to accept these gifts and fulfill these duties, with the help of God and the support of our community.*

Sec. 5. At least two witnesses shall be present at the solemnization, and together with the Member of the Clergy and the parties, sign the record of the solemnization in the proper register; which record shall include the date and place of the solemnization, the name of the witnesses, the parties and their parents, the age of the parties, Church status, and residence(s).

Sec. 6. A bishop or priest may pronounce a blessing upon a civil marriage using any of the liturgical forms authorized by this Church.

Sec. 7. It shall be within the discretion of any Member of the Clergy of this Church to decline to solemnize or bless any marriage.

**CANON 1.19: Of Regulations Respecting Holy Matrimony:
Concerning Preservation of Marriage, Dissolution of Marriage, and
Remarriage**

Sec. 1. When marital unity is imperiled by dissension, it shall be the duty, if possible, of either or both parties, before taking legal action, to lay the matter before a Member of the Clergy; it shall be the duty of such Member of the Clergy to act first to protect and promote the physical and emotional safety of those involved and only then, if it be possible, to labor that the parties may be reconciled.

Sec. 2 (a) Any member of this Church whose marriage has been annulled or dissolved by a civil court may apply to the Bishop or Ecclesiastical Authority of the Diocese in which such person is legally or canonically resident for a judgment as to his or her marital status in the eyes of the Church. Such judgment may be a recognition of the nullity, or of the termination of the said marriage; *Provided*, that no such judgment shall be construed as affecting in any way the legitimacy of children or the civil validity of the former relationship.

(b) Every judgment rendered under this Section shall be in writing and shall be made a matter of permanent record in the Archives of the Diocese.

Sec. 3. No Member of the Clergy of this Church shall solemnize the marriage of any person who has been the husband or wife of any other person then living, nor shall any member of this Church enter into a marriage when either of the contracting parties has been the husband or the wife of any other person then living, except as hereinafter provided:

(a) The Member of the Clergy shall be satisfied by appropriate evidence that the prior marriage has been annulled or dissolved by a final judgment or decree of a civil court of competent jurisdiction.

(b) The Member of the Clergy shall have instructed the parties that continuing concern must be shown for the well-being of the former spouse, and of any children of the prior marriage.

(c) The Member of the Clergy shall consult with and obtain the consent of the Bishop of the Diocese wherein the Member of the Clergy is canonically resident or the Bishop of the Diocese in which the Member of the Clergy is licensed to officiate prior to, and shall report to that Bishop, the solemnization of any marriage under this Section.

(d) If the proposed marriage is to be solemnized in a jurisdiction other than the one in which the consent has been given, the consent shall be affirmed by the Bishop of that jurisdiction.

Sec. 4. All provisions of Canon I.18 shall, in all cases, apply.



The Episcopal Diocese of **WESTERN KANSAS**

DECLARATION OF INTENTION

In accordance with Canon 1.18.4.

"Prior to the solemnization, the parties shall sign the following Declaration of Intent"

We understand the teaching of the church that God's purpose for our marriage is for our mutual joy, for the help and comfort we will give to each other in prosperity and adversity, and, when it is God's will, for the gift and heritage of children and their nurture in the knowledge and love of God. We also understand that our marriage is to be unconditional, mutual, exclusive, faithful, and lifelong; and we engage to make the utmost effort to accept these gifts and fulfill these duties, with the help of God and the support of our community.

(Signed)

(Signed)

Date



The Episcopal Diocese of WESTERN KANSAS

NOTES ON MARRIAGE LITURGIES FROM THE ACTIONS OF THE 78TH GENERAL CONVENTION OF THE EPISCOPAL CHURCH, 2015.

Due to the actions of the 78th General Convention the Episcopal Church now has 6 different liturgies for marriage. We have the 3 liturgies in the Book of Common Prayer, and 3 Trial Use Liturgies which may be used in same-sex marriages, with some conditions.

"The Celebration and Blessing of a Marriage" *"The Blessing of a Civil Marriage"* and *"An Order for Marriage"* as found in the 1979 edition of the Book of Common Prayer may be used **only for different-sex couples**. They cannot be used for same-sex marriages.

The 2 new trial-use liturgies approved for both different-sex and same-sex marriages are: *"The Witnessing and Blessing of a Marriage"*, and *"The Celebration and Blessing of a Marriage 2"*.

A third trial-use liturgy - *"The Witnessing and Blessing of a life-long Covenant"* - is only intended for use with same- sex couples in jurisdictions where same-sex marriage is not legal.

The texts for the trial-use liturgies may be found in *"Liturgical Resources 1, Revised and Expanded (I Will Bless You and You Will be a Blessing)"*, which is available from Church Publishing Incorporated (via Cokesbury). This book is also a full report from the Marriage Task Force. In addition, gift editions of the liturgies for use in the service itself are also available from Church Publishing. Finally, if you are so inclined, there is now an updated Register for Marriages which uses gender-neutral language.

While the trial -use liturgies for marriage are approved for use in Western Kansas, they, like the Prayer Book liturgies, must be used without change or alternation without the approval of the bishop.



The Episcopal Diocese of WESTERN KANSAS

To be used when requesting a Godly Judgment for permission
for Divorced Persons To be Re-married in the Episcopal Church

The Rt. Rev. Mark A. Cowell Diocese of Western Kansas
1 North Main, Suite 418 Hutchinson, Kansas 67501

Dear Bishop,

This is to request your permission for me to Celebrate the Sacrament of Holy Matrimony under Tide 1, Canon 19, of the Canons of the Episcopal Church in the United States of America, for the re-marriage of _____
and _____. I propose that the wedding take place on _____.

I was first contacted about this re-marriage on _____. I have witnessed the legal documents of divorce and it will have been one year since the parties originally separated.

I have met with this couple _____ times.

Do you believe that issues from the previous marriage(s) have been dealt with adequately?

Explain _____

Was there professional help sought to deal with any issues? yes _ no _

Were there any children from the previous marriage(s)? yes _ no _

If yes, are you satisfied that the children are adequately cared and provided for? yes _ no _

Note if needed: _____

Do you believe that the couple knows the difference between marriage at the Church and marriage in the Church? yes _ no _

Has the couple signed their Declaration of Intent? yes _ no _

What kind of commitment has the couple made to their family's life with the Church?

I will do celebrate this marriage if approved. yes _ no _

Signed _____

Date of application _____

(To be completed by clergyperson and received by the Bishop no later than 30 days before the date set for the marriage. Attach written requests from petitioners. Note that all marriages performed under a Godly Judgment must be reported to the Bishop no later than 30 days after the ceremony.)