

Remarriage of Divorced Persons

Matrimonial Commissions are no longer a canonical requirement for remarriage in the Diocese of Toronto. The Bishop has delegated the responsibility for the process to the incumbent or priest-in-charge of the parish in consultation with the area bishop where the matter is not straightforward.

It is the expectation of the College of Bishops that clergy will exercise the same pastoral care and attention that was required in preparing the application to the Matrimonial Commission. Compliance with civil and canon law must be ensured. A copy of the Decree Absolute or Divorce Certificate must be obtained from the applicants before it is used to apply for a marriage licence.

The Chancellor of the Diocese should be consulted (if it is necessary) to determine the validity of a marriage.

(General Synod Canon XXI 4. 8)

8. If either party has been previously married or has cohabited in a common law or de facto marriage, it is important that there be specific discussions about past relationships, the reasons for the breakdown of any past relationships, the effect of any continuing obligations, financial or otherwise to a former partner or children of a previous marriage or relationship, potential problems related to access or custody of such children, and the potential integration of such children into a new family unit.

Please see following, a suggested outline of the questions, which should be raised and discussed during the marriage preparation sessions. Note that the General Synod Canon also applies not only to those who have been previously married, but also to those who have cohabited in a common law or de facto marriage.

A. Guidelines for Marriage Preparation for Divorced Persons Seeking Remarriage

In your first meeting with the couple, explain the Christian understanding of marriage and the requirements of the Anglican Church of Canada. Have as your primary aim in this interview to establish open and warm communication with the couple so that they realize that the Church is concerned for them and desires to help them as they seek Christian marriage.

1. For your own reference, obtain the relevant factual information from each person:
 - i) Full name
 - ii) Marital status
 - iii) Date of birth
 - iv) Address
 - v) Proposed date and place of marriage

2. Obtain information about previous marriages:
 - i) Date, place and officiant
 - ii) Marital status at the time
 - iii) Date of permanent separation
 - iv) Date of Decree Absolute



3. Discuss with the divorced applicant(s) their understanding of:
 - i) The causes that led to the breakdown of their marriage
 - ii) Their attempts to seek help and reconciliation
4. Ask about their financial responsibilities (if any) to their former spouse and how these are being fulfilled.
5. Ask about the names and ages of any children born to their previous marriages:
 - i) Who now has custody?
 - ii) With whom are they now living?
 - iii) Who is responsible for their support?
 - iv) What support is now being given?
 - v) How the children get along with the parent who does not have custody?
 - vi) What is the attitude of each of these children to the proposed marriage?
 - vii) How do they see each of these children relating to both of them in their married life?
 - viii) Taking into account any difficulties and opportunities they foresee, how do they anticipate developing and sustaining their new family life?
6. Ask the applicants about their vision for their proposed marriage:
 - i) How long have they known each other?
 - ii) Their reasons for their confidence that the proposed marriage will be stable.
 - iii) Anything they have learned from their experience and knowledge of the broken marriage that they see as being helpful to this new relationship.
7. Ask the applicants to sign the General Synod Declaration (next page).



B. General Synod Canon XXI – Schedule A– Declaration

We, _____ and _____, hereby declare that we intend to enter into marriage which we acknowledge to be a union in faithful love, to the exclusion of all others on either side, for better or 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 fulfill 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 fulfillment in a community of faithful love.

