

## ***The Policy of the Archdiocese of Milwaukee regarding***

# Marital Separation

***If you are a married person whose marriage is seriously troubled and have already been thinking about separation, please read this...***

***If you are a person whose marriage is suffering please read this...***

If you are a married person whose marriage is suffering because of serious problems and you have already been thinking about separation or divorce, please read this statement by your Church:

"The joys and the hopes, the griefs and the anxieties of the men and women of this age, especially those who are poor or in any way afflicted, these too are the joys and hopes, the griefs and anxieties of the followers of Christ." (The Second Vatican Council's Constitution on the Church in the Modern World, #1)

These words certainly move the Church to show genuine concern for those men and women who are struggling in their marriage. In order to concretely show its interest, the Catholic community provides the opportunity for supportive counseling of one or both of the spouses from a Christian perspective. In this way, in the event of a decision either for reconciliation or separation and divorce, the partners will have found benefit in the counsel and acknowledgement of the Church. Most importantly they will know they are not alone or abandoned by their Church in this important, spiritual and moral decision concerning their marriage. They will continue to live within the People of God with access to the encouragement and strength that only His Word and Sacraments can give.

The counseling and support mentioned above are available to you from priests and pastoral professionals within the Archdiocese, and it is reinforced by the professional efforts of the Catholic Charities with offices throughout the Archdiocese. Also ready and accessible are numerous support-recovery groups for separated and divorced people; most of these groups are located in local parishes, and you can find out more about them from The Nazareth Project.

Crucial in all this, however, is the willingness of one or both of the marriage partners to reach out to a priest they know, usually their parish priest, but it might also be a chaplain or priest-teacher. The sooner the marital problem

can be discussed with these representatives and agencies of the caring Church, the better the prospects of healing and understanding, no matter what the eventual decision may be.

***What steps can I take now?***

***What is the Church recommending that married people do when they are experiencing serious marital conflict and have thought about divorce or separation?***

1. Bring the problem or request primarily to a priest or pastoral professional within the Archdiocese.
2. They will arrange a meeting with you alone or with both spouses initially to discuss the problem and consider the facts and alternatives from a Christian perspective.
3. If counseling has not yet been attempted, or if not attempted to a reasonable extent, arrangements should be made for marital counseling locally or with Catholic Charities or an equivalent agency.
4. Upon completion of the plan of counseling agreed to by the married couple, the priest or pastoral professional will submit a report and recommendation about the marriage to the Office for Marital Reconciliation / Separation.
5. The Archbishop's Delegate from that office will evaluate the report and, more often than not, is likely to confirm the recommendation within several days.
6. The Delegate will then issue an acknowledgement of the decision from the Archbishop's office concerning the right to separate and/or seek divorce.
7. If a couple later reconciles, they are encouraged to keep in touch with parish resources to support the progress that is made or for further advice and counsel if recovery is not made in the marriage.
8. If separation is decided, the individual spouses may seek the support of the Catholic Ministry to Separated and Divorced which is coordinated by the The Nazareth Project.
9. In some circumstances, depending on the history and nature of the marital problems, a petition for investigation of the possible nullity of marriage may be recommended. This would be done through the Metropolitan Tribunal.

### ***Why is the Church concerned about troubled marriages (your marriage)?***

Tragically, divorce is often presented as the only recourse from a less than ideal marriage. Because of the existing climate, when a marriage is failing, the Catholic finds himself/herself in the midst of a dilemma because of the Church's teaching on the permanence of marriage.

Furthermore, in the United States, all citizens enjoy civil rights, one of which is access to legal action to protect their rights to safety, well-being and property. These are the matters usually called the "civil effects" of divorce. However, Catholics have an added moral obligation in faith regarding the Sacrament of Matrimony and its "effects" within the Church community. The following paragraphs attempt to describe that moral obligation.

### ***Why does the Church have A PROCESS regarding marital separation and divorce? Is it ever possible for Catholics to separate or divorce with acknowledgement of the Church?***

At a time of marital conflict and separation the Church is concerned for the welfare of the spouses and the welfare of the children involved, as well as the protection of their rights. The Church offers her support to the couple, evaluates the causes for the separation and pledges to work with the couple for the reconciliation of differences and a restoration of their common life where that is possible.

The moral obligation of husband and wife to sustain common life is evident to anyone who appreciates the profound nature of marriage consent. The partners express in their vows the mutual and total gift of themselves to each other, a commitment that can only be realized by their entire lifetime together. Marriage, as a Sacrament of Christ and his Church, confirms and strengthens this commitment to permanence. It becomes a joyous sign of God's faithful and enduring love for each and all of us.

THE CHURCH UNDERSTANDS THAT THE PROBLEMS IN SOME MARRIAGES ARE SO DEEP THAT THE COUPLE MUST SEPARATE. Whenever there is a call for marital separation, there must be a correspondingly serious reason. In these modern times there are many causes for marital crisis. For example, severe financial problems and the burdens of parenting can threaten marriage; at other times a spouse who does not act responsibly due to a personality disorder, such as alcoholism, may endanger marital stability.

SOME OTHER SERIOUS REASONS that may precipitate separation are adultery; the insistent refusal of a spouse to promote a religious climate in the home; serious danger to the physical well being of the spouse or children; a criminal lifestyle by a spouse incompatible with Christian married life; any causes of a similar magnitude.

***What if I can't wait?***

***What about EMERGENCY SEPARATIONS taken by a spouse on one's own initiative? May couples or a spouse ever separate on their own initiative?***

The law of the Church recognizes the right of the spouse who is endangered in any way or who is concerned for the safety of the children to separate on his or her own initiative. However, if the voluntary separation continues, the consultation and assistance of the Church should be sought as soon as possible.

***What are the consequences of not consulting with the Church before separation and civil action?***

The spouses have a serious moral obligation to maintain common life. To break off common life on their own or as an individual without the counsel and acknowledgement of the Church means the spouse(s) have acted without the benefit of the Church's support in their decision. Jesus and the Apostle Paul urged that important matters such as a marriage, originally celebrated in the Spirit of Christ, should be brought to the Church *first* and only later, if needed, to the civil courts. (Matthew 18:15-17; also 1 Corinthians 6:1-7)

It is anticipated that a Catholic will want to do what the Church proposes as the best available approach to marital crisis. The emphasis is on meaningful and responsible cooperation with the Church community, which is a hallmark of the Second Vatican Council's renewal. This is also in accord with the maturing sense of conscience in adult Catholics which recognizes the dignity of marriage and the responsibility of the partners to care for each other.

Understand that the Church does not urge these steps *prior* to separation and divorce just because it wants to make things difficult or to place hurdles for people who are already burdened with crisis. The Church intends rather to provide a platform from which the concerned parties can make a decision with greater assurance. The intention of the Church is, as always, *helpful and faithful service*.

Persons, who, nevertheless, separate or start a civil divorce without the recommended counseling and acknowledgement of the Church still retain their right to share in the other Sacraments (Eucharist, Reconciliation, Christian Burial, etc.) if they are in good conscience (i.e. they acted after serious consideration of the moral aspects and religious responsibilities in their lives as spouses and parents).

***If a divorce has ALREADY TAKEN PLACE without the acknowledgement of the Church, is it still recommended to meet with the priest after the fact?***

The primary purpose of the policy of the Church is to assist the spouses in marital crisis so that if a decision for divorce is required, it is made conscientiously with the Church's assistance *before* going to court. This does not deny, however, that there is considerable opportunity for pastoral counseling and reconciliation of conscience after the divorce. In light of this, yes, **the door is always open and the welcome is extended.**

***More counseling?***

***If a couple has already received a considerable degree of PROFESSIONAL COUNSELING, must they also receive further counseling after they come to the Church for assistance?***

Any sincere efforts on the part of a couple to participate in counseling prior to meeting with a priest or pastoral professional will be recognized. Full notation of the extent of counseling is made when the recommendation to the Archdiocesan Office for Marital Reconciliation/Separation is submitted. All reasonable efforts will be made to eliminate needless repetition of formalities.

***The ARCHDIOCESAN OFFICE FOR MARITAL RECONCILIATION/SEPARATION was just mentioned. What role does it play in this process?***

As a means of insuring that consistent decisions are made throughout the Archdiocese and that all the opportunities available to a couple are considered, and in order that the Archbishop may have a closer appreciation of the causes and frequency of marital breakdown, those who work with the spouses are required to send a report and recommendation in each case to the Archbishop's Delegate, a canon lawyer prepared to evaluate the request and to issue an acknowledgement from the Archdiocese.

The Delegate's office interacts primarily with the professionals working with the couple. Interested parties, however, may call the office for information.

***What happens if ONLY ONE OF THE SPOUSES IS COOPERATIVE? What happens if the other spouse cannot even be contacted? Should the individual husband or wife still consult with the Church?***

Yes, the counseling and acknowledgement of the Church will be extended to a lone, cooperative spouse. Every reasonable effort should be made, however, to contact and invite the other spouse to join the discussion.

***Are the discussion and counseling sessions kept CONFIDENTIAL?***

Yes, discussions with a priest or professional counselor is confidential; this is a value that the Archdiocesan Office for Marital Reconciliation/Separation will insist upon. Also, there are no civil effects that follow from this strictly religious process.

***Are there any fees charged for the assistance from the Church?***

There are absolutely no fees charged or assessed by either parish personnel or by the Office for Marital Reconciliation / Separation. The parties will be asked to help defray any expenses incurred by the Catholic Charities or any equivalent agency on the basis of a graduated income scale. Lack of funds, however, should not prevent someone from seeking help.

*This booklet presents the procedures in an honest and non-emotional manner. It is our hope that it will begin a prayerful response and encourage your first step.*

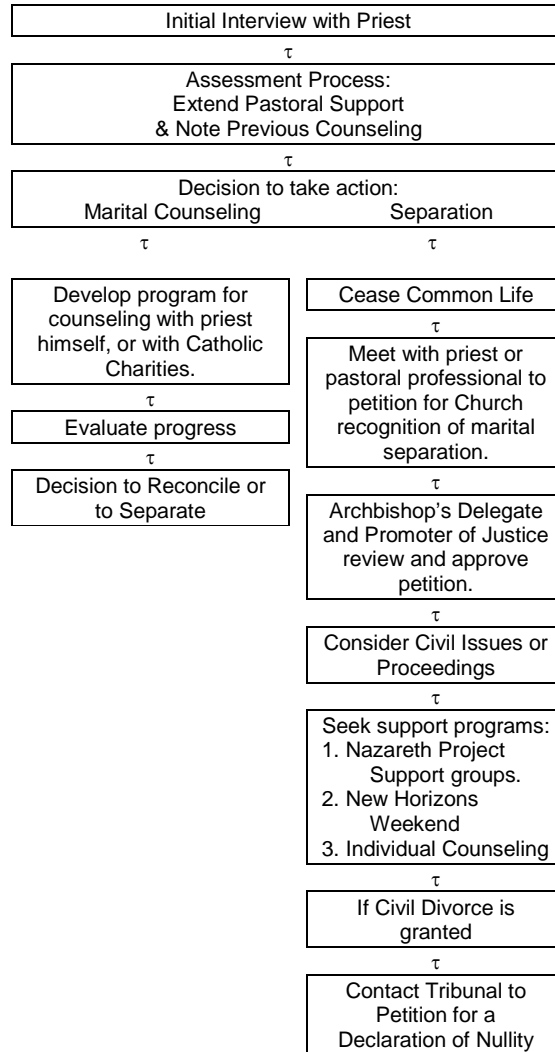
*If you have any further questions, please contact:*



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3501 S. Lake Dr.  
Milwaukee, WI 53207-0912  
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This chart visualizes the process described in this brochure:

**Marital Separation Process**



*The process that results in a Declaration of Nullity is entirely distinct from the separation process described above. Contact the Archdiocesan Tribunal for further information by phone at 414-769-3300 or by e-mail [tribunal@archmil.org](mailto:tribunal@archmil.org). A helpful explanatory booklet will be sent to you upon request.*