

## 2. Marriage Canons

From The Episcopal Church, *Constitution and Canons*, 2015

*In Resolution 2015-A036, the General Convention revised Canon I.18, effective on the First Sunday of Advent 2015.*

### TITLE I: ORGANIZATION AND ADMINISTRATION

#### **Canon 18: Of the Celebration and Blessing of Marriage**

**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 the 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 names 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 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.