



Metropolitan Tribunal of the Archdiocese of San Antonio

2718 W. Woodlawn Avenue, San Antonio, Texas 78228

Voice 210-734-1661 / Fax 210-734-9957

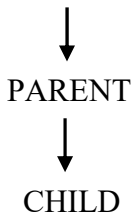
Tribunal@archsa.org / www.archsa.org/Tribunal

ABOUT CONSANGUINITY

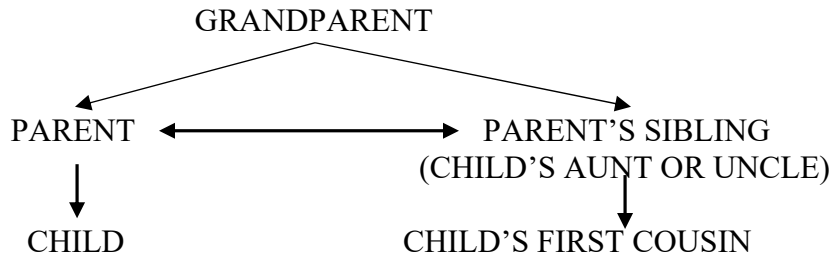
Consanguinity refers to blood relationships between persons, descended from the same ancestor.

THE DIRECT LINE

GRANDPARENT



THE COLLATERAL LINE



Marriages between persons in one's direct line are always invalid (c. 1091 §1).

Marriages between persons with a blood relationship up to and including the 4th degree of the collateral line are also invalid (c. 1092 §2).

A dispensation regarding consanguinity may be permitted for parties related in the 3rd degree or the 4th degree of the collateral line (see c. 1091 §4).

CODE OF CANON LAW

Canon 108

§1. Consanguinity is computed through lines and degrees.

§2. In the direct line there are as many degrees as there are generations or persons, not counting the common ancestor.

§3. In the collateral line there are as many degrees as there are persons in both the lines together, not counting the common ancestor

Canon 1091

§1. In the direct line of consanguinity marriage is invalid between all ancestors and descendants, both legitimate and natural.

§2. In the collateral line marriage is invalid up to and including the fourth degree.

§3. The impediment of consanguinity is not multiplied.

§4. A marriage is never permitted if doubt exists whether the partners are related by consanguinity in any degree of the direct line or in the second degree of the collateral line.

According to the Texas Family Code, applicants for marriage should not be related as:

- (A) an ancestor or descendant, by blood or adoption;
- (B) a brother or sister, of the whole or half blood or by adoption;
- (C) a parent's brother or sister, of the whole or half blood or by adoption;
- (D) a son or daughter of a brother or sister, of the whole or half blood or by adoption;
- (E) a current or former stepchild or stepparent; or
- (F) a son or daughter of a parent's brother or sister, of the whole or half blood or by adoption.

(See Texas Statutes – Family Code, Title 1: The Marriage Relationship;
Subtitle A: Marriage; Chapter 2: The Marriage Relationship; SubChapter A: Application for
Marriage License; Sec. 2.004: Application Form available at:
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.2.htm#2.004>)

PASTORAL NOTES AND INSTRUCTIONS

Any marriage between close family relatives is a cause for discernment between the Pastor (or his delegate) and the two parties desiring to marry.

Because of the potential for scandal in the family or the wider community if the marriage is allowed, the Pastor (or his delegate) should obtain a thorough knowledge of the concrete circumstances of the particular family situation.

The delicate subject of any previous consanguineous marriages in the family and their impact on the family should also be addressed.

The Pastor (or his delegate) should assist the couple in their discernment regarding potential negative impact to current and future interpersonal relationships among family members and be certain that each of the parties has given these concerns due consideration.

Before requesting a dispensation for consanguinity, it is required to obtain a letter from the couple's physician, stating that the physician has met with the couple and explained any medical or genetic complications for future children.

While the Code of Canon Law foresees the possibility of dispensations for persons related in the 3rd degree of the collateral line (nephew marrying aunt or niece marrying uncle) or the 4th degree of the collateral line (first cousins marrying), these marriages are void in the eyes of the State of Texas.

Therefore, the Petition Form for Dispensation regarding Consanguinity should only be used under the most exceptional of circumstances.

Please submit the petition to the Tribunal.

If you have questions or concerns, please contact the Tribunal.



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Revised September 8, 2023

PETITION FOR DISPENSATION REGARDING CONSANGUINITY

GROOM

Full Name: _____

Religion: _____

BRIDE

Full Name: _____

Religion: _____

Most Reverend Archbishop: I hereby request, on behalf of the Catholic party(ies) named above, the Dispensation from the Impediment of Consanguinity, in accordance with Canon 1091 of the Code of Canon Law.

The following family tree diagrams the degree of relationship.

Common Ancestor

Brother/Sister (Parents of the Parties)

First Cousins (Parties)

I have discussed with the parties the possible complications and difficulties which a marriage within close degrees of kinship may pose for intra-family relationships. They have duly considered these, as well as genetic concerns, which have been explained to them by a qualified physician. In submitting this petition, I am assured that there would be no scandal should this dispensation be granted. Attached is the required letter signed by the parties' physician.

Signature of Pastor/Delegate

Date

Parish and City of Parish

By virtue of faculties granted in accordance with Canons 85, 987 and 1078 §1 of the Code of Canon Law, I hereby grant the requested Dispensation from the Impediment of Consanguinity.

Archbishop of San Antonio/Delegate

Date