A baptized Baptist (John) married an unbaptized Protestant (Mary) in a civil ceremony by a Justice of the Peace. Neither had been married before. Two decades later, John was received into full communion with the Catholic Church at the Holy Saturday Easter Vigil, and Mary was baptized in the Catholic Church at the same time. They also were confirmed and received First Holy Communion.

Question 1: Is there a need for the pastor to convalidate their civil marriage before they are baptized or received into full communion?
   Answer: NO  First of all, their civil marriage is already a valid marriage (see explanation below). Secondly, neither is a Catholic yet, and neither is bound to our canonical requirements for marriage. Thus, they cannot be married in the Church because they are not yet members of the Church.

Question 2: Is there a need for the pastor to convalidate their civil marriage after they are baptized or received into full communion?
   Answer: NO  See the explanation that follows.

Below is an explanation of specific canons in the Code of Canon Law for the Latin Rite Catholic Church as they relate to the situation presented above.

C. 1: “The canons of this Code regard only the Latin Church.”
Non-Catholics are not bound by the ecclesiastical laws of the Catholic Church.

C. 1057: “The consent of the parties, legitimately manifested between persons qualified by law, makes marriage; no human power is able to supply this consent.”

For Latin Rite Catholics, legitimate manifestation of consent entails the observance of the canonical form (i.e. exchange of consent before a Catholic priest or deacon and two witnesses—c. 1108). Non-Catholics are not bound to this canonical form. Their civilly recognized marriage is considered to be a valid, natural bond, as long as neither party was previously married.

Non-Catholics enjoy the natural right to marry (c. 1058) and, once they have legitimately entered marriage, their unions are presumed to be valid (c. 1060). Thus, the civil marriage between John and Mary is a valid, natural bond.

Once non-Catholics who are already in a civilly recognized marriage are baptized in the Catholic Church or received into full communion with the Catholic Church, their marriage becomes sacramental at that moment, with no need for any further ecclesiastical action. In other words, their valid civil union does not have to be convalidated after they are baptized or received into full communion in the Catholic Church. Thus, there is no “church” marriage certificate for John and Mary because there is no need for them to have a marriage ceremony in the Catholic Church. Their valid civil marriage became sacramental as of the Holy Saturday Easter Vigil.

If there is a request for a “church” marriage certificate for a legitimate ecclesiastical reason, John and Mary will not have such a certificate. It is sufficient that they provide a certificate of John’s reception into full communion with the Catholic Church, a certificate Mary’s baptism in the Catholic Church, and a copy of their civil marriage license. Along with a copy of this explanation, these documents will establish the valid and sacramental status of their marriage.