



## **CANONICAL LACK OF FORM APPLICATION**

### **Documentation to Attach For Lack Of Form Case**

Four things have to be PROVEN in a lack of form case:

1. That at least one party to the marriage was baptized **in the Roman Catholic Church previous to the former marriage.**

The usual means of proof is a **CATHOLIC BAPTISMAL CERTIFICATE**. If this cannot be found, but the petitioner claims to have been baptized a Catholic, the Tribunal will take testimonies from witnesses to try and prove Catholic Baptism.

2. That **the original wedding was not a Catholic wedding.**

For this, the **CIVIL WEDDING CERTIFICATE** is needed; it will show who the original minister was. IF the civil certificate cannot be obtained after serious efforts, the Tribunal will hear witnesses, to try and prove what kind of Ceremony it was.

3. The **CIVIL DIVORCE DECREE** ought to accompany the petition. However, if it cannot be obtained, the parish minister must at least verify that there **has been a civil divorce**, and certify this for us in writing.

4. That **the marriage was never convalidated later.**

For this, the **TESTIMONY OF THE TWO WITNESSES** on the enclosed page is needed. The witness should be such close relatives of the petitioner and/or previous spouse that they would know positively if a validation of the marriage occurred.

If the marriage in question took place before January 1, 1949, additional materials may be needed, due to peculiarities of the canons at the time. Please consult the Tribunal.

Documents which you submit with the application will be returned when the Tribunal's Sentence is issued.

(This application is to be used only for cases in which an-already-baptized Roman Catholic married outside the Church without dispensation, and never had the marriage convalidated. In all other types of marriage nullity, other tribunal forms are needed instead).

**NOTE: This application is to be submitted at least SIX WEEKS previous to any date for a future wedding on the petitioner's part. Submit it, with documentation and fee payment, to:**

**TRIBUNAL  
499 St. Matthew, St.  
El Paso, Texas 79907**

**PETITION FOR DECLARATION OF MARRIAGE NULLITY ON ACCOUNT OF  
LACK OF FORM**

**Information Section**

**Concerning the Petitioner:**

Full name as it was before marriage: \_\_\_\_\_

Present name (if different): \_\_\_\_\_

Address: \_\_\_\_\_  
                    Number and Street                      State or Providence                      Zip Code

Telephone numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_

**Concerning the Previous Spouse:**

Full name as it was before the marriage: \_\_\_\_\_

Present name (if different): \_\_\_\_\_

Address: \_\_\_\_\_  
                    Number and Street                      State or Providence                      Zip Code

**Concerning One Catholic party to the Marriage:**

Party's name: \_\_\_\_\_

Church of Catholic Baptism \_\_\_\_\_

City/State of Catholic Baptism: \_\_\_\_\_

Date of Catholic Baptism: \_\_\_\_\_

**Concerning the Marriage to be Declared Null:**

Date of Wedding: \_\_\_\_\_

Place of Wedding: \_\_\_\_\_

Type of Minister or Official: \_\_\_\_\_

Civil Document Number: \_\_\_\_\_

**Concerning the Civil Divorce:**

Date of the Divorce Decree: \_\_\_\_\_

Place of the Divorce: \_\_\_\_\_

Number of Civil Divorce: \_\_\_\_\_

**QUESTIONNAIRE FOR PETITIONER**

1. Do you swear that in answering you will tell the truth, the whole truth, and nothing but the truth, so help you God? \_\_\_\_\_
2. Was the marriage referred to above originally in a Catholic ceremony? \_\_\_\_\_
3. If it was not, why was it not originally celebrated before a Catholic priest or Deacon? \_\_\_\_\_  
\_\_\_\_\_
4. Was the above marriage ever later celebrated or “convalidated” before a Catholic priest or Deacon? \_\_\_\_\_  
\_\_\_\_\_
5. If it was never later convalidated by the Catholic Church, why, didn’t you have this done? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Names of the children born in that marriage with their dates of birth. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Did the civil court order child support payments? \_\_\_\_\_
  - a. By the mother or the father? \_\_\_\_\_
  - b. For how much? \_\_\_\_\_
8. Have the child support payments been faithfully made? \_\_\_\_\_

I solemnly swear, calling upon God as my witness, that the above answers are true and complete.

X \_\_\_\_\_  
Petitioner

The foregoing answers were given before me in \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, of the year \_\_\_\_\_.

**PARISH SEAL**

X \_\_\_\_\_  
Authorized Priest or Deacon

Please Print Name of Church: \_\_\_\_\_

**QUESTIONNAIRES FOR WITNESSES**

Name of the Petitioner: \_\_\_\_\_

Previous Spouse Name: \_\_\_\_\_

**First Witness**

1. Your name: \_\_\_\_\_

2. Address: \_\_\_\_\_

3. What is your relationship to either of the parties named above? \_\_\_\_\_  
\_\_\_\_\_

4. Did the two persons named above celebrate their wedding before a Catholic Priest or Deacon?  
\_\_\_\_\_

5. If not, why was the wedding not originally celebrated before a Catholic Priest or Deacon? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Was their marriage ever later celebrated or “blessed” before a Catholic Priest or Deacon? \_\_\_\_\_  
\_\_\_\_\_

7. If it was not celebrated in the Catholic Church, why did the parties not have it blessed?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I solemnly swear, calling upon God as my witness, that the above answers are true and correct.**

X \_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

X \_\_\_\_\_  
Signature

**QUESTIONNAIRES FOR WITNESSES**

Name of the Petitioner: \_\_\_\_\_

Previous Spouse Name: \_\_\_\_\_

**Second Witness**

1. Your name: \_\_\_\_\_

2. Address: \_\_\_\_\_

3. What is your relationship to either of the parties named above? \_\_\_\_\_  
\_\_\_\_\_

4. Did the two persons named above celebrate their wedding before a Catholic Priest or Deacon?  
\_\_\_\_\_

5. If not, why was the wedding not originally celebrated before a Catholic Priest or Deacon? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Was their marriage ever later celebrated or “blessed” before a Catholic Priest or Deacon? \_\_\_\_\_  
\_\_\_\_\_

7. If it was not celebrated in the Catholic Church, why did the parties not have it blessed?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I solemnly swear, calling upon God as my witness, that the above answers are true and correct.**

X \_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

X \_\_\_\_\_  
Signature