



**ARCHDIOCESE OF LOS ANGELES**

**Metropolitan Tribunal**  
3424 Wilshire Boulevard  
Los Angeles, CA 90010-2241  
Tel.: (213) 637-7888  
(213) 637-7245  
Fax: (213) 637-6178

**For the Tribunal Only**

Case: \_\_\_\_\_  
Prot. No.: \_\_\_\_\_  
Granted by: \_\_\_\_\_  
Date: \_\_\_\_\_

**PETITION FOR A LACK OF FORM CASE**

**PETITIONER**

Name: \_\_\_\_\_  
(Maiden Name if applicable)  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Baptismal Information  
Church: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Rite: \_\_\_\_\_ Date: \_\_\_\_\_

**OTHER PARTY**

Name: \_\_\_\_\_  
(Maiden Name if applicable)  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Baptismal Information  
Church: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Rite: \_\_\_\_\_ Date: \_\_\_\_\_

**MARRIAGE**

Date: \_\_\_\_\_  
Place: \_\_\_\_\_  
\_\_\_\_\_  
License or Prot. # \_\_\_\_\_

**DIVORCE**

Date: \_\_\_\_\_  
Place: \_\_\_\_\_  
\_\_\_\_\_  
Decree or Prot. # \_\_\_\_\_

**QUESTIONNAIRE**

- 1. Was the above marriage ever validated or sanated in the Roman Catholic Church? \_\_\_\_\_
- 2. Did this marriage take place with a dispensation from canonical form? \_\_\_\_\_
- 3. Did you ever abandon the Catholic Faith by a "formal" act? (See note #2.) \_\_\_\_\_
- 4. Were any children born of the above marriage? \_\_\_\_\_  
If so, who is legally responsible for their support? \_\_\_\_\_  
Is this support being paid? (If not, please explain on a separate page.) \_\_\_\_\_

**I swear to the truth of all the information on this petition and ask that, in accordance with Canon 1108, §1 of the Code of Canon Law, this marriage be declared invalid due to the absence of canonical form. I fur-ther understand that absolutely no arrangements can be made and no date scheduled for a future Catholic marriage or validation (not even a tentative date) until I have received official notice of a declaration of invalidity of this marriage.**

\_\_\_\_\_  
Petitioner's Signature  
\_\_\_\_\_  
Signature of Priest/Deacon/Parish Minister  
\_\_\_\_\_  
PRINT Name of Priest/Deacon/Parish Minister  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Parish Name  
\_\_\_\_\_  
Parish Address  
\_\_\_\_\_  
Parish Phone Number & E-mail

\_\_\_\_\_  
Signature of Pastor (Required if the Submitting Minister is not a priest.)  
\_\_\_\_\_  
Date

**(Seal)**



## LACK OF FORM CASES GENERAL INFORMATION/CHECKLIST

### TO BE SUBMITTED:

- A. \_\_\_ **Petition form:** One for each marriage in question and reviewed by the Pastor/Submitting Minister. Must be completely filled out with both the Submitting Minister's/Pastor's and Petitioner's signature.
- B. \_\_\_ **Certificate of Catholic Baptism of at least one party:** An updated copy of the Catholic's baptismal certificate from the parish where the Catholic was baptized. Certificate must be dated within the last 6 months, with notations of any prior marriages.
- C. \_\_\_ **Certificate of Marriage:** A photocopy of the certificate for the marriage in question.
- D. \_\_\_ **Final Decree of Civil Divorce or Civil Annulment :** Can be obtained from the Hall of Records in the County/City where the divorce took place; photocopy is fine.
- E. \_\_\_ **Affidavit of Non-Validation: "Other Party":** As with all marriage cases, reasonable efforts must be made to protect the rights of the other Party. In Lack of Form cases, the Submitting Minister is encouraged to obtain sworn testimony of the other Party using the "Affidavit of Non-Validation: Other Party" form provided by the Tribunal (in English and Spanish), prior to submitting the Petition. A sample letter to the "other-Party" in Word format is available in the Tribunal's website.
1. **If** your attempt to contact the other Party is unsuccessful, send to the Tribunal a copy of the letter being sent to the other Party along with the required documents in A, B, C, D, F and G.
  2. **If** it is not possible to locate the other Party, then submit a letter of explanation to the Tribunal stating the reasons why, along with the required documents in A, B, C, D, F and G.
- F. \_\_\_ **Two Affidavits of Non-Validation: Witness:** If testimony of the other party is unobtainable, the sworn testimony of two competent witnesses to the non-validation of the marriage must be obtained. In order to verify non-validation, these witnesses must have had ongoing contact or communication with the parties throughout the marriage. Please use only the form entitled "Affidavit of Non-Validation: Witness", also available in the Tribunal website (in English or Spanish).
- G. \_\_\_ **Fee:** \$50.00 (Please make check payable to the Archdiocese of Los Angeles)

### IMPORTANT REMINDER:

**Canon 1071 §1, 3** "Except in case of necessity, no one is to assist at the marriage of a person who is bound by natural obligations toward another party or toward children arising from a prior union, without the permission of the local ordinary." It is the moral obligation of the Pastor/Submitting Minister to verify, that proper child support and/or alimony are being paid between the Petitioner and the other Party. This will aid the priest or deacon to form the moral certitude as to whether or not the Petitioner is capable of assuming the marital obligations and/or adequately prepared to enter into a new marriage in the church.

### SPECIAL NOTES:

1. For marriages celebrated by a Latin Catholic with an **Orthodox Christian** on or after March 25, 1967 (for most Eastern Catholics the date is January 21, 1965), the canonical form of marriage is necessary only for liceity. Such marriages, if entered with the assistance and solemn blessing of an Orthodox priest, are valid (see c. 1127, §1). Only if a minister of either Church did not officiate at the ceremony is a Lack of Form case possible.
2. If the marriage in question took place on or after November 27, 1983 and before April 9, 2010, it is necessary to inquire if the Catholic party abandoned the faith by a **formal act** at any time prior to the marriage. Those who publicly renounce membership in the Catholic Church, who become members of another Christian or non-Christian denomination through some explicit act of enrollment, profession of faith, baptism, etc., or who make a formal profession of atheism **may** have left the faith by a formal act. If so, they were not bound by the required canonical form of marriage (c. 1117) during that time period. Please consult the Tribunal.
3. Though not strictly required for the case by canon law, it would be pastorally advisable to learn **why** this attempted marriage was never validated. Such information could be useful to the pastoral minister in preparing a couple for a successful Catholic marriage.
4. Please include in a cover letter with any **additional information** which you consider helpful in evaluating the case.



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**AFFIDAVIT OF NON-VALIDATION: OTHER PARTY**

Regarding your marriage to: \_\_\_\_\_  
 (Maiden Name, if applicable)

Name of Affiant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

\*\*\*\*\*

**QUESTIONNAIRE**

Was your marriage ever validated or sanated in the Roman Catholic Church? \_\_\_\_\_

Did this marriage take place with a dispensation from canonical form? \_\_\_\_\_

Did you ever abandon the Catholic Faith by a "formal act"? (E.g., were you registered, re-baptized, or actively participate in another faith?) \_\_\_\_\_

Were any children born of this marriage? \_\_\_\_\_

Has your former spouse faithfully fulfilled his/her legal or other obligations regarding any children born of your marriage? \_\_\_\_\_

If not, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**I hereby swear to the truth of my answers to the above questions.**

\_\_\_\_\_  
 Signature of Affiant

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of Priest/Deacon/Parish Minister

\_\_\_\_\_  
 Name of Parish

\_\_\_\_\_  
 PRINT Name of Priest/Deacon/Parish Minister

\_\_\_\_\_  
 Parish Address

(Parish Seal)

\_\_\_\_\_  
 Parish Telephone



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*If witnesses are needed, print or make one copy of this form for each witness.*

**AFFIDAVIT OF NON-VALIDATION: WITNESS**

Regarding the marriage between: \_\_\_\_\_  
and (use maiden name): \_\_\_\_\_  
Name of Witness: \_\_\_\_\_  
Relationship to Petitioner: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

\*\*\*\*\*

**QUESTIONNAIRE**

Did this marriage of the above-named parties ever take place in the Roman Catholic Church? \_\_\_\_\_  
Did this marriage take place with a dispensation from canonical form? \_\_\_\_\_  
Was this marriage ever "blessed," validated or sanated in the Catholic Church? \_\_\_\_\_  
Did either party ever abandon the Catholic Faith by a "formal act"? (E.g., register or get baptized in another faith?) \_\_\_\_\_  
Have the two parties faithfully fulfilled their legal or other obligations regarding any children born of their marriage? \_\_\_\_\_  
If not, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I hereby swear that I have been in contact with the parties throughout the length of their civil marriage, and to the truth of my answers to the above questions.**

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Priest/Deacon/Parish Minister

\_\_\_\_\_  
Name of Parish

\_\_\_\_\_  
PRINT Name of Priest/Deacon/Parish Minister

\_\_\_\_\_  
Parish Address

**(Parish Seal)**

\_\_\_\_\_  
Parish Telephone