



ARCHDIOCESE OF LOS ANGELES

Metropolitan Tribunal
3424 Wilshire Boulevard Los
Angeles, CA 90010-2241
Tel.: (213) 637-7361
(213) 637-7888
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