

**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 further 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 _____

Parish Name _____

Signature of Priest/Deacon/Parish Minister _____

Parish Address _____

PRINT Name of Priest/Deacon/Parish Minister _____

Parish Phone Number & E-mail _____

Date _____

Signature of Pastor (Required if the Submitting Minister is not a priest.) _____

Date _____

(Seal)

LACK OF FORM CASES – GENERAL INFORMATION

TO BE SUBMITTED:

- **Petition form** (with affidavits as needed) for each marriage in question
- **Certificate of Catholic Baptism for at least one party** (issued within the past 6 months)
- **Certificate of Marriage**
- **Final Decree of Civil Divorce or Civil Annulment**
- **Affidavit of Non-Validation from the other party:** As with any marriage case, all reasonable efforts must be made to protect the rights of the other party. While recognizing the fact that the Lack of Form case is a documentary process, the Tribunal requires the Parish to inform the other party and send to him/her the “Affidavit of Non-Validation: Other Party” form via certified mail prior to submitting the case to the Tribunal. If your attempt to contact the other party is unsuccessful, please send a copy of your certified letter documenting the attempted contact. If it is not possible to contact the other party, submit a letter of explanation to the Tribunal stating the reasons why.
- **Affidavit of Non-Validation: Witness.** If testimony of the other party is absolutely unobtainable, the sworn testimony of two competent witnesses to non-validation 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” supplied by the Tribunal.
- **Fee: \$50.00** (Please make check from the parish payable to the **Archdiocese of Los Angeles**)

IMPORTANT REMINDER:

Failure to fulfill natural obligations toward one’s spouse and children arising from a marriage, even an invalid one, is an obstacle to marriage in the Church (c. 1071, §1, 3). It is necessary to ask both parties if proper child support and/or alimony are being paid. This will aid the priest or deacon to form the moral certitude as to whether or not the petitioner is capable of assuming the obligation of a new marriage. If the Petitioner is not meeting these obligations no marriage in the Church should be scheduled until the matter is resolved.

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 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