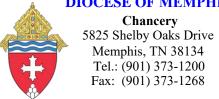
DIOCESE OF MEMPHIS



For Chancery Use Only

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

PETITION FOR A LACK OF FORM CASE

PETITIONER	OTHER PARTY (Required)
Name:(Maiden Name if applicable) Address:	Name: (Maiden Name if applicable) Address:
Telephone:	Baptismal Information Church:
Rite: Date:	
MARRIAGE	DIVORCE
Date:	Date:
Place:	Place:
 Was the above marriage ever validated ("bl Did you meet with a Catholic priest or dead Did you ever abandon the Catholic Faith by How many children were born of the above Who is legally responsible for Is this support being paid? (If I swear before God to the truth of all the information of Code of Canon Law, this marriage be declared invalid 	con and sign any papers before contracting this marriage? y a "formal" act? (See note #2.) e marriage? their support? not, please explain on a separate page.) on this petition and ask that, in accordance with Canon 1108, §1 of the d due to the absence of canonical form. I further understand that scheduled for a future Catholic marriage or validation (not even a
Petitioner's Signature	Parish Name
Signature of Priest/Deacon/Chancery Notary	Parish Address
PRINT Name of Priest/Deacon/Chancery Notary	Parish Phone Number & E-mail
Date	

(Parish/Chancery Seal)

Lack of Form Petition, Page 2

As with all marriage cases, effort must be made to contact the former spouse. If contact information for the other party is absolutely unobtainable, please submit the names of two witnesses who have had ongoing contact or communication with the parties throughout the marriage. If this is not possible, please call the tribunal before submitting this petition.

WITNESS #2

11111200 III	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Name:	Name:
Address:	Address:
Address.	Address.
Telephone:	Telephone:

LACK OF FORM CASES – GENERAL INFORMATION

TO BE SUBMITTED:

WITNESS #1

- Petition form for each marriage in question
- Certificate of Catholic Baptism for at least one party (issued within the past 6 months)
- Original or Certified Copy of Certificate of Marriage
- Copy of Final Decree of Civil Divorce or Civil Annulment

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 <u>may</u> 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. Failure to fulfill <u>natural obligations</u> 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.
- 4. Though not strictly required for the case by canon law, it would be pastorally advisable to learn <u>why</u> this attempted marriage was never validated. Such information could be useful to the pastoral minister in preparing a couple for a successful Catholic marriage.
- 5. Please include in a cover letter any additional information which you consider helpful in evaluating the case.