



DIOCESE OF MEMPHIS

Chancery
5825 Shelby Oaks Drive
Memphis, TN 38134
Tel.: (901) 373-1200
Fax: (901) 373-1268

For Chancery Use 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 (Required)

Name: _____
(Maiden Name if applicable)
Address: _____

Telephone: _____
Baptismal Information
Church: _____
Address: _____

Rite: _____ Date: _____

MARRIAGE

Date: _____
Place: _____

DIVORCE

Date: _____
Place: _____

QUESTIONNAIRE

- 1. Was the above marriage ever validated ("blessed") or sanated in the Catholic Church? _____
- 2. Did you meet with a Catholic priest or deacon and sign any papers before contracting this marriage? _____
- 3. Did you ever abandon the Catholic Faith by a "formal" act? (See note #2.) _____
- 4. How many children were born of the above marriage? _____
Who is legally responsible for their support? _____
Is this support being paid? (If not, please explain on a separate page.) _____

I swear before God 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 nullity of this marriage.

Petitioner's Signature

Signature of Priest/Deacon/Chancery Notary

PRINT Name of Priest/Deacon/Chancery Notary

Date

Parish Name

Parish Address

Parish Phone Number & E-mail

(Parish/Chancery Seal)

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 #1

Name: _____
Relationship to Petitioner: _____
Address: _____

Telephone: _____

WITNESS #2

Name: _____
Relationship to Petitioner: _____
Address: _____

Telephone: _____

LACK OF FORM CASES – GENERAL INFORMATION

TO BE SUBMITTED:

- 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 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. 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.
4. 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.
5. Please include in a cover letter any **additional information** which you consider helpful in evaluating the case.