

Diocese of Fort Worth

Petition for a Declaration of Nullity Due to Lack of Canonical Form (Canon 1117)

Only Clergy or Tribunal Advocate may complete this form.

This petition is used in those cases where a Catholic entered into a marriage ceremony without fulfilling the requirement of canonical form (*Canon 1108: marrying before a Catholic priest or deacon and two witnesses*) and that marriage ended in divorce.

If a person has more than one lack of form failed marriage, use a separate petition for *each* one.

1. Were both you and your former spouse non-Catholic at the time of your marriage ceremony? Yes No
2. Did you and your former spouse at any time after the civil ceremony recite your marital vows before a Catholic priest/deacon (convalidation – c. 1160)? Yes No
3. Did you and your former spouse recite your marital vows before an Eastern Rite Catholic priest or Orthodox priest (c. 1127, §1)? Yes No
4. A radical sanation (*sanatio in radice*) is a favor granted by a Catholic bishop to make an invalid marriage of a Catholic retroactively valid without a renewal of consent. (c. 1161)
 - a. Is a radical sanation listed on the Catholic Baptismal or POF Certificate? Yes No
 - b. Was a radical sanation ever requested from the Catholic Church? Yes No
5. Did you receive a dispensation from canonical form from a Catholic bishop allowing you to have a marriage ceremony officiated by someone other than a Catholic priest or deacon? Yes No
6. Did you receive a Decree of Formal Defection from the Catholic Church signed by a Bishop? Yes No

**If any answer to the questions above is Yes, this lack of form petition CANNOT be used.
Please contact the Tribunal.**

REQUIRED DOCUMENTS to be submitted with this petition:

- A recent Baptismal or Profession of Faith (POF) Certificate (issued within the last 6 months, with any sacramental notations listed on the back) for the Catholic at the marriage ceremony. If both were Catholics, only one certificate is necessary. It is the Petitioner's responsibility to obtain the certificate.
- A certified copy of the marriage license showing the name and title of the officiant.
- A certified copy of the entire civil divorce decree, including amendments. The decree has to have the signature of the judge and date signed.

MARRIAGE CEREMONY

Date of Marriage Ceremony: _____ / _____ / _____ Officiant’s Name: _____

Officiant’s Title: Christian Minister Rabbi Justice of the Peace Other _____

Name of Church or Place of Marriage Ceremony: _____

Address of Church or Place of Marriage Ceremony – include City and State.

Was there marriage preparation in the Catholic Church before your marriage ceremony that occurred outside the Catholic Church? Yes No If yes, list the following:

Name of Catholic parish/institution: _____

Address of Catholic parish/institution – include City and State.

CIVIL DIVORCE

Date of Divorce: _____ / _____ / _____ County / State: _____

Officiating Judge: _____

QUESTION to be asked of the Petitioner:

Are you meeting your moral and civil responsibilities to your former spouse and any child/children? (c. 1071, §1, 3°) Yes No If No, explain as follows:

Regarding any marriages of the Petitioner and the Intended or Current Civil Spouse

Anyone who desires to be married in the Catholic Church, whether Catholic or non-Catholic (baptized or non-baptized), must have *each and every* marriage reviewed by the Catholic Church through some type of nullity process. This includes any marriage(s) of any kind [religious, convalidation, civil court (justice of the peace, etc.), common law, etc.] that ended in divorce or a civil annulment. The ONLY exceptions are if the former spouse is deceased OR the previous marriage has already been declared invalid by the Catholic Church. Without a death certificate(s) and/or Proof of an affirmative decision(s) for invalidity, it is not possible to marry in the Catholic Church.

Besides the marriage described in this petition, does the Petitioner have any other marriage(s) that also ended in divorce or death of the other spouse?

Yes No **If Yes, Please contact the trained Tribunal Advocate in your parish.**

If the Petitioner is planning to marry, does the Intended or Current Civil Spouse have any other marriage(s) that also ended in divorce or death of the other spouse?

Yes No **If Yes, Please contact the trained Tribunal Advocate in your parish.**

**Diocese of Fort Worth
Tribunal**

I, the Petitioner, solemnly swear that the information given in this petition is the whole truth, so help me God.

Signature of the Petitioner

Date Signed

Signature of Priest, Deacon or Tribunal Advocate, who prepared this Petition

Clergy or Tribunal Advocate, Type Name

Parish Name: _____

City: _____

PARISH SEAL

NOTE:

A copy of the original application and supporting documents are to be kept in the parish marriage files.

The original application with original signatures and copies of the supporting documents are to be sent to the Tribunal.

After review of the application and supporting documents, the Tribunal will issue two decrees: one for the parish file and one to be given to the party requesting the Lack of Canonical Form.