



## HOW TO DETERMINE A LACK OF FORM CASE

A lack of canonical form (or lack of form) is a marriage in which a Catholic was married civilly or was married in a non-Catholic ceremony without dispensation from the bishop of the diocese or his delegate and the marriage was not subsequently validated in the Church. A Catholic is required to observe the canonical form, that is, to marry before a properly delegated Catholic bishop, priest, or deacon and two witnesses. When the canonical form has not been observed and the marriage was not later validated in the Church, the administrative process of canons 1066-1067 is used to declare such marriages invalid.

The following questions will help you determine whether you have a lack of form case:

1.  YES  NO Was one of the contracting parties a Catholic at the time of the wedding?
2.  YES  NO Did the marriage take place before a Catholic bishop, priest, or deacon and before two lay witnesses?
3.  YES  NO Did the Catholic party obtain a dispensation to be married in a ceremony other than a Catholic one?
4.  YES  NO Was the marriage ever subsequently witnessed or validated by a Catholic bishop, priest, or deacon?
5.  YES  NO Was the marriage ever subsequently sanated by a Catholic bishop or his delegate.

If the answer to question 1 is YES and the answers to questions 2, 3, 4, and 5 are NO, it may be a lack of form case. Kindly, download the **PETITION FOR A DECLARATION OF FREEDOM TO MARRY BECAUSE OF LACK OF CANONICAL FORM ON THE ATTEMPTED MARRIAGE**. Complete the Petition and send it to the Tribunal with the following documents, namely:

- A Copy of the Baptism Certificate/Profession of Faith for Catholic party or parties (issued within last 6 months).
- A Copy of the Marriage Certificate.
- A Copy of the Divorce Decree.

If you have a case other than lack of form, kindly call the Tribunal at 504-861-6291 for assistance.