



Archdiocese of Galveston-Houston

PETITION for a DECLARATION of NULLITY Due to LACK of CANONICAL FORM (Canon 1117)

(This petition is to be completed only by the Case Sponsor.)

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 all three of the following criteria are met, this petition may be completed in the parish. If not, it **MUST** be sent to the Tribunal.

- If the Petitioner was Catholic at the time of the marriage ceremony.
- If the Petitioner’s planned marriage ceremony will occur in the Archdiocese of Galveston-Houston.
- If the Petitioner and/or the Intended or Current Spouse have no other Metropolitan Tribunal petition(s).

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

→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 Catholic, 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 civil divorce decree with the signature of the judge and date signed.
- A death certificate(s) and/or any other affirmative nullity decree(s) if applicable.

→This petition can also be used for Eastern Rite Catholics and Orthodox Christians who married without the blessing of their priest. In such cases, this petition must be submitted to the Tribunal.

→If you have any questions, contact the Metropolitan Tribunal: (713) 807-9286.

PETITIONER INFORMATION: Mr. Mrs. Ms. Dr. Other _____ Male Female

Full First Name: _____ Phone Numbers: Home: () _____

Full Middle Name: _____ Work: () _____

Present Last Name: _____ Cellular: () _____

Suffix (Sr., Jr.): _____ Date of Birth: _____
(Month, Day, Year)

If female, Maiden Name: _____ Date of Catholic Baptism/POF: _____
(Month, Day, Year)

Address: _____ Name of Church: _____

Apartment/Unit #: _____ Church Address: _____

City/State/Zip: _____ City/State/Zip: _____

RESPONDENT INFORMATION (Former Spouse): Mr. Mrs. Ms. Dr. Other _____ Male Female

Was your former spouse Catholic at the time of the marriage ceremony? Yes No Uncertain

Full First Name: _____ Date of Birth: _____
(Month, Day, Year)

Full Middle Name: _____ Date of Catholic Baptism/POF: _____
(Month, Day, Year)

Present Last Name: _____ Name of Church: _____

Suffix (Sr., Jr.): _____ Church Address: _____

If female, Maiden Name: _____ City/State/Zip: _____

MARRIAGE CEREMONY:

Officiant’s Name: _____ Date of Marriage Ceremony: _____
(Month, Day, Year)

Officiant’s title: Christian minister Non-Christian minister (rabbi, etc.) Civil Magistrate (Justice of the Peace, etc.)
 None-common law Other: _____

Name of Church or Place of Marriage Ceremony: _____

City/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: _____

City/State: _____

NOTE to Case Sponsor: If there is any possibility that there was a dispensation from canonical form, contact the Tribunal.

CIVIL DIVORCE:

Date of Divorce: _____ County/State: _____ Decree Number: _____
Month, Day, Year (Date of the judge’s signature)

QUESTIONS to be asked of the Petitioner:

- 1) Were both you and your former spouse non-Catholics at the time of your marriage ceremony?
 Yes No
- 2) Did you and your former spouse subsequently 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) If the marriage ceremony occurred after 1970, 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? (c. 1127, §2)
 Yes No
- 6) If the marriage ceremony occurred on or after November 27, 1983, did the Catholic “leave the Church by a formal act” prior to this marriage ceremony? (To leave the Church by a formal act: a Catholic, who rejects all or part of the Catholic faith, must notify *in writing* the proper Catholic bishop or pastor of his/her intention to leave the Church. Pontifical Council for Legislative Texts, March 13, 2006—c. 1117)
 Yes No

→If any answer to questions #1-6 is yes, this lack of form petition CANNOT be used. Contact the Tribunal.

- 7) 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: _____ (If you need assistance about this issue, contact the Tribunal.)

- 8) Do you have any plans to marry at this time?
 Yes No (If NO, this petition must be submitted to the Tribunal.)

Regarding any marriages of the Petitioner and the Intended or Current 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 null by the Catholic Church. Without a death certificate(s) and/or an affirmative decision(s) for nullity, it is not possible to marry in the Catholic Church.

PART A: 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 NO, continue to Part B.)**

Number of times: Married: _____ Divorced: _____ Widowed: _____

List any other marriage(s) of any kind [religious, convalidation, civil court (justice of the peace, etc.), common law, etc.] that ended in divorce or death. [Submit a death certificate(s) and/or any other affirmative nullity decree(s).]

Full Name of spouse(s)	Date/Name of Church/Place City/State of Marriage ceremony	Date of Divorce and/or Death of spouse (Indicate divorce or death)	Indicate how this marriage was/is being resolved? (Death; nullity; in process; etc.)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

Yes **No (If NO, continue to Page 4.)**

What is his/her name? _____
 Full First Name Full Middle Name Present Last Name If female, Maiden Name

Date/Place of Birth: _____ Religion: _____
 (Month, Day, Year) (City/State)

Number of times: Married: _____ Divorced: _____ Widowed: _____

List any marriage(s) of any kind [religious, convalidation, civil court (justice of the peace, etc.), common law, etc.] that ended in divorce or death. [Submit a death certificate(s) and/or any other affirmative nullity decree(s).]

Full Name of spouse(s)	Date/Name of Church/Place City/State of Marriage ceremony	Date of Divorce and/or Death of spouse (Indicate divorce or death)	Indicate how this marriage was/is being resolved? (Death; nullity; in process; etc.)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

→IF this petition is completed in the parish and not submitted to the Tribunal, complete the box below:

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 Case Sponsor
(Priest, Deacon or designated Lay Person
who completed this petition)

Type/print name

Signature of Pastor (if not the Case Sponsor)

Date facts recorded in Parish Lack of Form Record Book

*****PARISH SEAL*****

→Place this completed, four-page petition with the Catholic Baptismal or POF Certificate in the marriage file, as well as a death certificate(s) and/or any other affirmative nullity decree(s) if applicable.
→Make a notation of this petition's facts in the Parish Lack of Form Record Book.

→IF this petition is being submitted to the Tribunal, complete the box below:

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

Signature of the Petitioner

Signature of Case Sponsor

*****PARISH SEAL*****

Date signed

CASE SPONSOR: Priest, Deacon or designated Lay Person who completed this petition.
This petition will NOT be accepted without a Case Sponsor.

Msgr. Rev. Deacon Mr. Mrs. Ms. Dr. Name: _____

Address: _____ City/State/Zip Code: _____

Address: Church OR Home

Phone Numbers: Home: () _____ Work/Cellular: () _____

Case Sponsor's Parish: _____ City/State: _____

→REQUIRED DOCUMENTS to be submitted with this petition:

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- A certified copy of the marriage license showing the name and title of the officiant.
- A certified copy of the civil divorce decree with the signature of the judge and date signed.
- A death certificate(s) and/or any other affirmative nullity decree(s) if applicable.

→Mail this completed, four-page petition to: Archdiocese of Galveston-Houston
Metropolitan Tribunal
P.O. Box 907
Houston, TX 77001-0907

Telephone: (713) 807-9286