



### Lack of Form Case: Instructions

1. The “Lack of Form” is a documentary case which is based on the fact that a baptized Catholic is required to observe the laws of the Church concerning marriage, that is, that a Catholic must contract marriage in the presence of an authorized priest or deacon and two adult witnesses. If that is not observed, the marriage is not considered valid in the mind of the Church.
2. Therefore, the following must be determined prior to seeking a Declaration of Nullity Due to a Lack of Canonical Form:
  - At least one of the parties to a marriage must be a baptized Catholic who has not formally rejected the faith. That baptism must have taken place **before** the marriage.
  - The marriage was contracted by the parties before someone other than a Catholic priest or deacon (such as a civil official, non-Catholic minister, etc.)
3. The **Petition for Declaration of Nullity Due to a Lack of Canonical Form**
  - Please fill out the form as fully as possible.
    - The names in the first two lines are those of 1) the party petitioning for the declaration and 2) the former (**not** present) spouse.
  - It is necessary to have the name and contact information, including an email address, of a Catholic pastoral minister with whom the Petitioner is working on the Lack of Form petition.
4. Documents needed:
  - A copy of the marriage certificate showing the name and title of the officiant of the former marriage.
  - A copy of the final decree of divorce (page 1 with docket number, and last page with judge’s signature).
  - A baptismal certificate dated within the last six months (not an original) listing the annotations from the baptismal register on the back of the certificate.
  - Affidavits of the non-regularization of the union in the Catholic Church:
    - The Tribunal prefers that these be taken from relatives or long-time acquaintances, **not** from co-workers or recent acquaintances. Names and contact information must be given to the Tribunal which will contact these persons.

Two items of additional note:

- **A baptized Catholic who has formally rejected the faith before the marriage will receive a special canonical consideration.**
- **A baptized Catholic who contracts marriage before an Orthodox priest, even without permission of the Catholic Church, contracts a valid marriage.**



The Tribunal  
**ARCHDIOCESE FOR THE MILITARY SERVICES, USA**  
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 Washington, D.C. 20017-0469  
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 Fax: 202-269-9022  
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**Petition for Declaration of Nullity Due to a Lack of Canonical Form**

I, \_\_\_\_\_, a \_\_\_\_\_ married  
LAST NAME OF PETITIONER (USE MAIDEN NAME IF A WOMAN), FIRST NAME, MIDDLE NAME RELIGION

\_\_\_\_\_, a \_\_\_\_\_ in  
LAST NAME OF FORMER SPOUSE (USE MAIDEN NAME IF A WOMAN), FIRST NAME, MIDDLE NAME RELIGION

\_\_\_\_\_ on \_\_\_\_\_ before a \_\_\_\_\_.  
CITY, STATE DATE PRIEST, MINISTER, MAGISTRATE, ETC.

My mailing address is:

\_\_\_\_\_  
MAILING ADDRESS

Email: \_\_\_\_\_  
CIVILIAN EMAIL ADDRESS MILITARY EMAIL ADDRESS

Phone numbers: \_\_\_\_\_  
HOME OR CELL WORK

Present name of **former** spouse: \_\_\_\_\_  
PRESENT NAME OF FORMER SPOUSE

He/She lives at:  
 \_\_\_\_\_  
ADDRESS

I solemnly swear/affirm before Almighty God that the above statements are true and that the obligation of canonical form had not ceased by reason of dispensation or of formal departure from the Church according to c. 1117 and that the marriage was never regularized in the Catholic Church. Finally, I am unaware of any other impediment to my marrying in the Catholic Church in the future.

\_\_\_\_\_  
SIGNATURE OF PETITIONER DATE

I, the undersigned priest or deacon, testify with moral certitude to the veracity of the Petitioner insofar as it concerns his/her sworn statements.

_____ <small>NAME OF CATHOLIC PASTORAL MINISTER</small>	_____ <small>HOME OR CELL PHONE NUMBER</small>	_____ <small>WORK PHONE NUMBER</small>
_____ <small>SIGNATURE OF CATHOLIC PASTORAL MINISTER</small>	_____ <small>CIVILIAN EMAIL ADDRESS</small>	
_____ <small>DATE</small>	_____ <small>MILITARY EMAIL ADDRESS</small>	

I enclose legible copies of:

- a. Recent Certificate of Catholic Baptism of myself or of the other party. (Obtained from Church of Baptism, dated less than 6 months ago, and specifying any "Notations" or lack of "Notations.")
- b. Certificate of Marriage on which the name and title of the officiant is given.
- c. Contact information for two witnesses.
- d. Divorce or Civil Annulment Decree.

I authorize the Tribunal of the Archdiocese for the Military Services, USA to have **Affidavits of Non-Regularization** sent to and signed by the following persons who can testify that this marriage was at no time ever regularized before a Catholic priest or deacon or Orthodox priest:

Witness #1: \_\_\_\_\_  
FULL NAME RELATIONSHIP

\_\_\_\_\_

MAILING ADDRESS

\_\_\_\_\_

EMAIL ADDRESS PHONE NUMBER

Witness #2: \_\_\_\_\_  
FULL NAME RELATIONSHIP

\_\_\_\_\_

MAILING ADDRESS

\_\_\_\_\_

EMAIL ADDRESS PHONE NUMBER

**THIS SECTION FOR TRIBUNAL USE ONLY**

Proof of Obligation to Canonical Form of marriage:     Petitioner                       Respondent

Date and place of Catholic Baptism: \_\_\_\_\_

DATE CHURCH

\_\_\_\_\_

LOCATION

**DECLARATION OF NULLITY**

I, the undersigned Judge, am morally certain that the marriage in question is null Due to a Lack of Canonical Form.

\_\_\_\_\_

JUDGE DATE