



# DIOCESE OF ST. PETERSBURG LACK/DEFECT OF CANONICAL FORM PETITION

This form is to be used when a baptized Catholic does not marry before a Catholic priest/deacon and two witnesses, **OR** the ceremony took place outside the Catholic Church without proper approval. It can also be used when one (or both parties) were baptized Orthodox and were not married in an Orthodox or Catholic Church.

**PLEASE COMPLETE ON COMPUTER AND PRINT OUT**

**PETITIONER (You)**

Mr./ Mrs./ Ms./ Dr. \_\_\_\_\_  
First Middle Last

Last Name prior to this marriage: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Preferred Phone: (\_\_\_\_) \_\_\_\_\_  H  W  C

Email: \_\_\_\_\_

Date of Birth (MM/DD/YYYY): \_\_\_\_\_

Present Religion: \_\_\_\_\_

Religion of Baptism: \_\_\_\_\_

Date of Baptism (MM/DD/YYYY): \_\_\_\_\_

Church of Baptism: \_\_\_\_\_

City & State: \_\_\_\_\_

If convert to Catholicism, date of reception: \_\_\_\_/\_\_\_\_/\_\_\_\_

Church of reception: \_\_\_\_\_

City & State: \_\_\_\_\_

**Are you currently enrolled in RCIA?**  Yes /  No

**RESPONDENT (Your Former Spouse)**

Mr./ Mrs./ Ms./ Dr. \_\_\_\_\_  
First Middle Last

Last Name prior to this marriage: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

Preferred Phone: (\_\_\_\_) \_\_\_\_\_  H  W  C

Email: \_\_\_\_\_

Date of Birth (MM/DD/YYYY): \_\_\_\_\_

Present Religion: \_\_\_\_\_

Religion of Baptism: \_\_\_\_\_

Date of Baptism (MM/DD/YYYY): \_\_\_\_\_

Church of Baptism: \_\_\_\_\_

City & State: \_\_\_\_\_

If convert to Catholicism, date of reception: \_\_\_\_/\_\_\_\_/\_\_\_\_

Church of reception: \_\_\_\_\_

City & State: \_\_\_\_\_

**MARRIAGE FOR WHICH YOU ARE PRESENTLY PETITIONING**

Date of marriage(MM/DD/YYYY): \_\_\_\_\_ Place of marriage: \_\_\_\_\_  
(i.e., church, hall, house, park, beach, etc.)

City & State: \_\_\_\_\_

Officiant (check one):  Catholic Priest/  Deacon  Rabbi  Orthodox Priest

Minister → Religion: \_\_\_\_\_

Civil Official → Title and name: \_\_\_\_\_

Date of final divorce decree(MM/DD/YYYY): \_\_\_\_\_

County & State Final divorce decree: \_\_\_\_\_

**IMPORTANT:** It is and remains the policy of the Tribunal, since November 10, 1989, not to accept Petitions for a Declaration of Nullity of Marriage until at least one year has elapsed from the date the civil divorce was granted. When two or more marriages have been contracted, whether in or outside the Church, it is the policy of the Tribunal not to accept these Petitions until at least two years have elapsed from the date of the most recent divorce.

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1. Was this your first marriage?  Yes /  No

If No, please explain: \_\_\_\_\_

Was this your former spouse's first marriage?  Yes /  No

If No, please explain: \_\_\_\_\_

2. Was dispensation granted to have this marriage performed outside the Catholic Church?  Yes /  No

3. Was this marriage ever convalidated ("blessed") in a Catholic ceremony?  Yes /  No

Yes → Date (MM/DD/YYYY) \_\_\_\_\_ / Where? \_\_\_\_\_  
(i.e. Parish Name, city, state)

4. Number of children born of this marriage: \_\_\_\_\_

Are the provisions of the civil courts being observed?  Yes /  No

If No, why not? \_\_\_\_\_

5. Name, Address & Religion of your Parents:

Name, Address & Religion of Respondent's Parents:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have you contracted any subsequent marriages?  Yes /  No **If Yes, complete the following for each subsequent marriage with the EXCEPTION of your PRESENT marriage. Information regarding your present marriage should be answered in the questions which follow.** (If necessary, please use an additional sheet of paper):

**SUBSEQUENT MARRIAGE(S) OF PETITIONER**

**SUBSEQUENT MARRIAGE #1**

With whom: \_\_\_\_\_ Religion of other party: \_\_\_\_\_

Date of marriage(MM/DD/YYYY): \_\_\_\_\_

Where did the marriage take place?  Church (type) \_\_\_\_\_  Civil  Other \_\_\_\_\_

How was it Terminated?  Death /  Divorce Date(MM/DD/YYYY): \_\_\_\_\_

Has this marriage been declared null by the Catholic Church?  Yes /  No

Protocol Number \_\_\_\_\_ Diocesan Marriage Tribunal \_\_\_\_\_

**Please provide a copy of the Declaration of Nullity.**

Are the provisions of the civil courts toward your former spouse and any offspring being met?  Yes /  No

**SUBSEQUENT MARRIAGE #2**

With whom: \_\_\_\_\_ Religion of other party: \_\_\_\_\_

Date of marriage(MM/DD/YYYY): \_\_\_\_\_

Where did the marriage take place?  Church (type) \_\_\_\_\_  Civil  Other \_\_\_\_\_

How was it Terminated?  Death /  Divorce Date(MM/DD/YYYY): \_\_\_\_\_

Has this marriage been declared null by the Catholic Church?  Yes /  No

Protocol Number \_\_\_\_\_ Diocesan Marriage Tribunal \_\_\_\_\_

**Please provide a copy of the Declaration of Nullity.**

Are the provisions of the civil courts toward your former spouse and any offspring being met?  Yes /  No

**7. Are you presently  seriously dating  engaged  married ?**

With Whom (Full Name): \_\_\_\_\_ Last Name at time of marriage: \_\_\_\_\_

Home Address: \_\_\_\_\_

Religion: \_\_\_\_\_ Date of Birth(MM/DD/YYYY): \_\_\_\_\_

**8. If Married:**

Date of marriage(MM/DD/YYYY): \_\_\_\_\_

Officiant (check one):  Catholic Priest/  Deacon  Rabbi  Orthodox Priest

Minister → Religion: \_\_\_\_\_

Civil Official → Title and name: \_\_\_\_\_

Place of marriage: \_\_\_\_\_ City & State: \_\_\_\_\_

(i.e., church, hall, house, park, beach, etc.)

**9. Is your present spouse/fiancé currently enrolled in RCIA?  Yes /  No**

**10. Has your present spouse/fiancé been married before?  Yes /  No If Yes, please complete the following:**

**PREVIOUS MARRIAGE(S) OF CURRENT SPOUSE/FIANCÉ**

**PREVIOUS MARRIAGE #1**

With whom: \_\_\_\_\_ Religion of other party: \_\_\_\_\_

Date of marriage(MM/DD/YYYY): \_\_\_\_\_

Where did the marriage take place?  Church (type) \_\_\_\_\_  Civil  Other \_\_\_\_\_

How was it Terminated?  Death /  Divorce Date(MM/DD/YYYY): \_\_\_\_\_

Has this marriage been declared null by the Catholic Church?  Yes /  No

Protocol Number \_\_\_\_\_ Diocesan Marriage Tribunal \_\_\_\_\_

**Please provide a copy of the Declaration of Nullity.**

Are the provisions of the civil courts toward your former spouse and any offspring being met?  Yes /  No

**PREVIOUS MARRIAGE #2**

With whom: \_\_\_\_\_ Religion of other party: \_\_\_\_\_

Date of marriage(MM/DD/YYYY): \_\_\_\_\_

Where did the marriage take place?  Church (type) \_\_\_\_\_  Civil  Other \_\_\_\_\_

How was it Terminated?  Death /  Divorce Date(MM/DD/YYYY): \_\_\_\_\_

Has this marriage been declared null by the Catholic Church?  Yes /  No

Protocol Number \_\_\_\_\_ Diocesan Marriage Tribunal \_\_\_\_\_

**Please provide a copy of the Declaration of Nullity.**

Are the provisions of the civil courts toward your former spouse and any offspring being met?  Yes /  No

**UNDER NO CIRCUMSTANCES MAY A DATE FOR A CATHOLIC WEDDING BE SET UNTIL A FINAL DECREE IS ISSUED.**

**AFFIRMATION AND REQUIRED SIGNATURE OF PETITIONER**

I, the undersigned Petitioner, do hereby pledge my word of honor and solemnly swear that, to the best of my knowledge, the foregoing information given in completing the application is correct and true. I further solemnly swear that 1) permission or dispensation was never obtained for the marriage to take place outside the Catholic Church, and that 2) the marriage described herein was never convalidated ("blessed") according to the laws of the Catholic Church. I accept ownership and responsibility for my actions and/or attitudes that may have contributed to the dissolution of this union. Having grown through this experience, I am now prepared emotionally and spiritual to enter a valid Christian marriage in the Catholic Church.

**Sign Here**

**SIGNATURE of Petitioner (REQUIRED)**  
**Digital Signature not accepted**

\_\_\_\_\_ Date

**AFFIRMATION AND REQUIRED SIGNATURE OF PRIEST/DEACON/ADVOCATE**

I, the undersigned, having reviewed the Petitioner's testimony and after a thorough discussion with the Petitioner, testify that the Petitioner appears to have answered all questions honestly and thoroughly and is now prepared emotionally and spiritually to enter a valid Christian marriage in the Catholic Church.

**Sign Here**

**SIGNATURE of Priest/Deacon/Advocate (REQUIRED)**  
**Digital Signature not accepted**

\_\_\_\_\_ Date

Printed/Typed Name of Priest/Advocate \_\_\_\_\_

Church: \_\_\_\_\_

City: \_\_\_\_\_

Please note any information, concerns or exceptional situations you wish the Tribunal to be aware of below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Documents enclosed (please check):**

- Baptismal Certificate(s) - MUST be a NEW CERTIFIED DOCUMENT SHOWING ALL NOTATIONS (dated and sealed within the past six months) of the Catholic/Orthodox party(ies).** An original certified baptismal certificate from the time the Baptism actually occurred **is not acceptable** unless the Baptism occurred within the past six months
- Answers to the twenty-five questions if petitioner has been divorced more than once.

**NOTE: The marriage certificate and final divorce decree DO NOT NEED TO BE SUBMITTED to the Tribunal but are to remain on file at the Church.**

**For DEFECT OF CANONICAL FORM USE ONLY, the Canonical Form elements that were defective:**

- The official witness failed to have the required delegation
- The delegation was not noted in the official records
- Two witnesses were not present at the exchange of consent
- The proper dispensation for the marriage was lacking
- No manifestation of consent was requested/received in the name of the Church
- Other \_\_\_\_\_

**Documents and/or testimony must be provided to support the claim of Defect of Canonical Form**

**For Tribunal Use Only:**

Decision: \_\_\_\_\_ Date: \_\_\_\_\_ Delegate of the Bishop \_\_\_\_\_

**COURTSHIP/ENGAGEMENT/MARRIAGE – Please answer the following questions on a separate sheet of paper. They are to be reviewed by the priest/deacon.** The primary purpose of these questions is to be a pastoral aid in bringing closure to the marriage in question. If you have been divorced once, the answers need not be sent to the Tribunal. If you have been divorced more than once, please forward the answers to the Tribunal.

**A SIMPLE "YES" OR "NO" IS NOT SUFFICIENT.**

1. When did you become acquainted with your former spouse? How often did you date after meeting?
2. When did you decide to marry and how old were you? Were you both enthused about the idea of marriage? How long were you engaged?
3. Was your engagement ever broken? Were there any special problems during the courtship/engagement or the days prior to the wedding?
4. Did you have any doubts about the marriage or did anyone advise against the marriage?
5. With 20/20 hindsight, were there any warning signs present during courtship which you should have heeded?
6. Were there any unusual conflicts on the wedding day or honeymoon?
7. Was the marriage entered into with mutual love or would you or others characterize the relationship as one of infatuation?
8. Was the marriage contracted freely? If there was any force or fear or ultimatum given, please explain.
9. Immediately after the wedding and/or during the marriage were there any special problems experienced in your sexual relations with each other?
10. Did you both enter this marriage intending to have children?
11. If children were born, were they wanted by both of you? Were you and your former spouse both responsible and nurturing parents during the marriage? What is your relationship with your children at present?
12. Did you and your former spouse intend a permanent union binding until death or did one or both of you enter this union with the notion that divorce could be an option?
13. Did either of you believe that infidelity, physical abuse, drugs, lack of love, etc., would dissolve the bond of marriage, freeing that person to marry?
14. In entering this marriage did both of you intend to be faithful to each other for life? Were both of you, in fact, faithful to each other? If not, please explain.
15. How well were you and your former spouse able to communicate? Were you able to share your needs, desires, dreams, anxieties, vulnerabilities? How did you handle disagreements? Please explain.
16. Did the use or abuse of alcohol or drugs affect this marriage? If yes, please explain.
17. When and over what did problems first arise in the marriage?
18. What were your main complaints regarding your former spouse as a spouse and a parent?
19. What were his/her complaints regarding you as a spouse and a parent?
20. When and over what did separations occur in this marriage? When and why did the final separation take place?
21. Describe your former spouse's maturity and emotional stability at the time of the marriage and during the years that followed.
22. Describe your own maturity and emotional stability at the time of the marriage and during the years that followed.
23. As you look back at the time of your marriage, would you say that you exercised good judgement in entering this union? Please explain.
24. With 20/20 hindsight, is there anything you would have done differently which might have preserved this marriage?
25. If you are presently contemplating a new marriage within the Catholic Church, how is your present relationship with your intended spouse different from your relationship with your former spouse?