



# Diocese of Owensboro

McRaith Catholic Center  
600 Locust Street  
Owensboro, KY 42301  
270/683-1545

ML

## LACK OF FORM MARRIAGE

This form should be used to certify that a marriage was not recognized by the Roman Catholic Church because the substantial juridical formalities required in the expression of consent were not observed. For Catholics, "only those marriages are valid which are contracted in the presence of the local ordinary or the pastor or a priest or a deacon delegated by either of them, who assist, and in the presence of two witnesses..." (c. 1108,1)

Please review the information on the reverse side. In complicated cases or in doubt, consult the Tribunal.

1. Petitioner: \_\_\_\_\_ Religion: \_\_\_\_\_

A. Place and date of Catholic baptism or reception into Catholic Church \_\_\_\_\_

\_\_\_\_\_

2. Respondent: \_\_\_\_\_ Religion: \_\_\_\_\_

A. Place and date of Catholic baptism or reception into Catholic Church \_\_\_\_\_

\_\_\_\_\_

3. Place of Marriage: \_\_\_\_\_

4. Date of Marriage: \_\_\_\_\_

5. Civil Divorce: \_\_\_\_\_  
(Date) (City) (State)

- I have on file the documents of baptism, marriage, and divorce and certify that the above information is correct.
- This marriage was never convalidated in the Catholic Church.
- This marriage did not take place before January 1, 1949; there was no dispensation from canonical form whereby the parties could be married in the presence of a person other than a Catholic priest or deacon; nor in marriages since November 27, 1983 had both Catholic parties or the sole Catholic party left the church by a formal act; nor was either party a member of a non-Catholic eastern church (Orthodox).
- I am certain that this marriage was invalid according to the laws of the Roman Catholic Church because of a lack of canonical form.

\_\_\_\_\_  
*Priest/Pastoral Minister*

**PARISH SEAL**

\_\_\_\_\_  
*Parish*

\_\_\_\_\_  
*Date*

(This form is to be filed in the parish archives)

## NOTES ON CANONICAL FORM

1. The 1983 Code of Canon Law treats the form for the celebration of marriage in canons 1108-1123.
2. In contracting a marriage before January 1, 1949 a Catholic was not bound to the canonical form if he or she was born of non-Catholic parents, of apostates or of a mixed marriage and was not reared as a Catholic (cf. 1917 Code of Canon Law, C. 1099).
3. Since March 31, 1970 local ordinaries have had the faculty to dispense from the canonical form in mixed marriages (cf. *Matrimonia Mixta* of Paul VI, #9 and 1983 Code, c. 1125).
4. In marriages entered since November 27, 1983 (effective date for the revised code) a Catholic is not bound to the canonical form if he or she had left the church by a formal act (c. 1117).
5. Was one of the parties to this marriage a member of an Orthodox Church? Since March 25, 1967 a marriage of a Latin rite Catholic and an Orthodox Catholic before an Orthodox priest is a valid marriage (cf. *Crescens Matrimoniorum* and 1983 Code, c. 1127,1).