

ARCHDIOCESE OF MILWAUKEE
The Chancery
P.O. Box 070912
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chancery@archmil.org

FOR CHANCERY USE
No. _____
Date Submitted: _____
Declaration of Nullity Granted by: _____
Date: _____

APPLICATION FOR OFFICIAL RECOGNITION OF INVALIDITY – LACK OF FORM

This application is to be used in those cases where a Catholic celebrated a marriage without fulfilling the requirement of canonical form and that attempted marriage has ended with divorce. Therefore, **this application is not to be used in the following cases** because the Catholic Form of marriage is not required for a marriage:

- a) between two non-Catholics;
- b) for which a dispensation from Catholic Form has been granted;
- c) of a Catholic (s) who left the Catholic Church by a formal act prior to the wedding.
(This third case is found in Canon 1117 of the 1983 Code and applies only to weddings celebrated after 11/26/83.)

EVIDENCE

Along with this petition the following must be submitted:

- 1. A recent copy of the **baptismal certificate** of the Catholic party.
- 2. Original or copy of the **marriage license**.
- 3. Original or copy of the **judgment of civil divorce** or annulment.
- 4. Affidavits concerning freedom to marry (Form 1A) should be submitted in behalf of the petitioner along with this petition if at any time during the marriage the couple lived outside the Archdiocese. (This is to examine whether the marriage was ever validated in some other diocese. Special sensitivity should be given to all the responses in question #4 of the affidavit.)

Most Reverend Archbishop:

I, _____ a Catholic/non-Catholic
(circle one)

petition for an official recognition of invalidity of my former marriage with

_____ a Catholic/non-Catholic,
(circle one)

which we attempted without observing the required form.

The ceremony took place in the presence of _____
(Civil Official/Minister)

on _____, at _____
(Month/Date/Year) (Site) (City) (State)

This marriage was civilly dissolved by divorce in _____
(County)

County, State of _____ on _____
(State) (Month/Date/Year)

DEPOSITION OF PETITIONER

Knowing that an oath is sacred and that perjury is a grave offense, do you solemnly swear to tell the truth in answering all the following questions? _____

1. Your full name (maiden name) _____

Present address _____ Home telephone _____

Age _____ Date of birth _____ Place _____

2. Your religion _____ Do you practice it? _____

3. Are you baptized? _____ In what religion? _____

Date _____ Church _____ Place _____

4. Full name of your spouse (maiden name) _____

5. Was your spouse baptized? _____ In what religion? _____

Date _____ Church _____ Place _____

6. Was this marriage your first marriage? _____ If not, give the full name(s) of previous spouse(s)

7. Was this marriage the first marriage of your spouse? _____ If not, give the full name(s) of previous spouse(s) _____

8. Was a dispensation from the canonical form of marriage obtained before the wedding? _____

If so, give details _____

(The following question applies if the parties in this case attempted their marriage after 11/26/83.)

9. At any time prior to the wedding, did the Catholic party(ies) formally leave the Catholic Church by receiving a new baptism, by making a profession of faith, or by giving formal allegiance as a member of any non-Catholic church, sect or denomination? _____ If so, state which spouse, name and place of church, sect or denomination and when this occurred _____

(If the response to #9 is 'yes,' do any documents, certificates or witnesses exist that could prove the Catholic became a member of another church, sect or denomination prior to this marriage?)

Explain: _____

10. Did you or your spouse at any time talk to a Catholic priest about having this marriage validated ("blessed", rectified) or sanated (retroactively validated) according to the laws of the Catholic Church? _____

If so, who was the priest and what was the result of the conversation?

11. Was this marriage ever validated in the presence of a Catholic priest? _____

12. State each and every place where you and your spouse lived together before final separation:

_____ from _____ to _____
(City) (State) (year) (year)

_____ from _____ to _____
(City) (State) (year) (year)

_____ from _____ to _____
(City) (State) (year) (year)

13. During this marriage, were you or your spouse in Military Service? _____ If so, who? _____ from _____ to _____
(year) (year)

14. Name two witnesses (preferably parents, brothers, sisters, etc.) who know you well and who can testify to the facts of this marriage:

_____ (Name) _____ (Address) _____ (Relationship)

_____ (Name) _____ (Address) _____ (Relationship)

15. Have you entered a marriage subsequent to this marriage? _____ When? _____
With whom? _____

16. Has your spouse entered a marriage subsequent to this marriage? _____ If so, was it in the Catholic Church? _____ When? _____ Where? _____

17. Do you now sign this document as evidence of the truth of the answers you have given? _____

Date _____

(Signature of Petitioner)

Parish Seal

(Signature of Priest/Deacon/Parish Director)

(Parish / Address)

