

LACK OF FORM/LIGAMEN

Petition for Adjudication of Marital Status

PETITIONER:

Last Name, (Maiden), First name

1. _____

Present Address

2. _____

Date, Place of Birth

3. _____

No. of Marriage (1st, etc.)

4. _____

Religion

5. _____

Date, Place of Baptism

6. _____

Date, Place of First Communion

7. _____

Date, Place of Confirmation

8. _____

Name, Present Address of Father

9. _____

Religion of Father

10. _____

Maiden Name of Mother

11. _____

Present Name, Address of Mother

12. _____

Religion of Mother

13. _____

RESPONDENT:

Last Name, (Maiden), First Name

1. _____

Present Address

2. _____

Date, Place of Birth

3. _____

No. of Marriage (1st, etc.)

4. _____

Religion

5. _____

Date, Place of Baptism

6. _____

Date, Place of First Communion

7. _____

Date, Place of Confirmation

8. _____

Name, Present Address of Father

9. _____

Religion of Father

10. _____

Maiden Name of Mother

11. _____

Present Name, Address of Mother

12. _____

Religion of Mother

13. _____

14. Above-named parties married at _____ on the _____ day of

_____, _____, in the presence of a _____

(Minister? Civil Officer?)

Serial Number of Marriage Certificate _____ Number of Children _____

Final divorce decree obtained at _____, _____,
(City) (County)

Civil annulment obtained at _____, _____,
(City) (County)

_____, on the _____ day of _____,
(State) (Serial Number of Divorce Decree)

Plaintiff was man/woman, Grounds for divorce (annulment) _____

Petitioner wishes to marry _____
(Name)

(Address) (Religion)

Has Petitioner attempted civil marriage? _____

N.B.: A separate Petition is to be filled out, signed and witnessed for each marriage for which any type of decision is sought.

N.B.: If the above-named parties cohabited outside the Diocese of Reno during their married life, the priest must give (on a separate sheet) the place and exact period of each extra-diocesan residence.

AFFIDAVIT OF PETITIONER IN LACK OF FORM CASE

I, the undersigned, do hereby pledge my word of honor and solemnly swear that the foregoing information, to the best of my knowledge, is true, and I further solemnly swear that I have never contracted or attempted any marriage during my lifetime except as indicated herein. I further solemnly swear that the marriage described herein was never rectified (blessed) according to the laws of the Catholic Church. I agree that no action of any sort will be taken in regard to my Petition, unless the information I have given is completely accurate. So help me God.

Subscribed and sworn to before me

at: _____
Parish

this _____ day of _____, 20_____.
(Petitioner's Signature)

(Priest) _____
Signature

(Seal of Church)

INFORMATION ON MARRIAGE CASES

1. Marriage record and Divorce record (Final Decree) for each marriage or attempted marriage must be attached to this Petition.
2. Church records, e.g., Baptismal, First Communion, should be a recent issue, at least not more than six months old.
3. The priest should not discuss with the interested parties any of the issues in question in a marriage case, especially when sworn testimony must be the main source of proof.
4. The priest should not send anyone to the Chancery Office until an appointment has been made in writing with a member of the Tribunal.
5. No petitioner can entertain hope of marriage until the Church has given a decision in his favor. Until such a decision has been placed in his hands, no priest should assign a time for marriage or countenance the least preparation for its celebration.

LACK OF FORM CASES:

- a) Sufficient proof must be supplied that at least one of the parties was bound to the Catholic form of marriage.
- b) It is essential to obtain complete data, (Cf. schema on the parentage and religious history of the non-Catholic party to an invalid (lack of form) marriage).
- c) Baptismal record must always be presented, if at all available; otherwise the names and addresses of at least two witnesses (the best possible) (indicating relationship, if any) should be supplied, so that they may be properly interrogated.
- d) First Communion and/or Confirmation record must always be presented, if the marriage in question was contracted before January 1, 1949.
- e) If neither the First Communion nor the Confirmation records is available, or if the Catholic party did not receive these Sacraments, but did have some Catholic upbringing, the names and addresses of at least two witnesses (the best possible) (indicating relationship, if any) should be supplied, so that they may be properly interrogated.
- f) If there was no Catholic upbringing, but both parents were Catholic at the time of their child's birth, the names and addresses of the parents, or, if these are not available, of other competent witnesses (to establish the Catholicity of the parents) should be supplied, so that they may be properly interrogated. The Church record of the parents' marriage should also be submitted, if possible.
- g) If the parties to the allegedly invalid marriage lived together for any period of time outside the diocesan limits of the Diocese of Reno, the priest must submit to the Chancery a complete list of all extra-diocesan residences. The priest should state where the parties resided (giving at least the name of the City and State), and he should likewise state as accurately as possible, the time of such residence (i.e., from June, 1925 to June, 1935).
- h) Additional pertinent information should be supplied on a separate sheet.

LIGAMEN CASES: The priest, in presenting a Ligamen Case for consideration, should always submit:

- a) A clear outline of the case, mentioning the complete facts (i.e., the allegedly valid marriage upon which the invalidity of a subsequent marriage is based), and on all subsequent marriages, including the allegedly invalid marriage.
- b) Full names and addresses of the two parties to the original marriage, also of the Plaintiff and of the person whom the Plaintiff desires to marry.

- c) The civil marriage record (vital statistics) and the divorce record (final decree) for every marriage or attempt at marriage.