Please name two witnesses who can verify non-validation (to be contacted if information from the other party to the marriage is unobtainable):

<table>
<thead>
<tr>
<th>WITNESS #1</th>
<th>WITNESS #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Name:</td>
</tr>
<tr>
<td>Relationship to Petitioner:</td>
<td>Relationship to Petitioner:</td>
</tr>
<tr>
<td>Address:</td>
<td>Address:</td>
</tr>
<tr>
<td>Telephone:</td>
<td>Telephone:</td>
</tr>
</tbody>
</table>

**LACK OF FORM CASES – GENERAL INFORMATION**

**TO BE SUBMITTED:**
- Petition form (with affidavits as needed) for each marriage in question
- Certificate of Catholic Baptism for at least one party (issued within the past 6 months)
- Certificate of Marriage
- Final Decree of Civil Divorce or Civil Annulment
- Fee: $50.00 (Please make check from the parish payable to the Archdiocese of Los Angeles – no personal checks.)

**FOR YOUR INFORMATION:**

A. **Affidavit of non-validation from the other party:** As with all marriage cases, effort must be made to inform the other party of the action. In Lack of Form cases, you are encouraged to obtain sworn testimony, using the “Affidavit of Non-Validation: Other Party” form, provided by Canonical Services (in English or Spanish), prior to submitting the petition. If your attempt to contact the other party is unsuccessful, please send a copy of your letter documenting the attempted contact, along with the petition and other documents; this documentation of the attempt at the parish level will enable the office to forego contacting the other party and will thereby expedite the case.

B. If testimony of the other party is absolutely unobtainable, the sworn testimony of two competent witnesses to non-validation must be obtained. In order to verify non-validation, these witnesses must have had ongoing contact or communication with the parties throughout the marriage. If this is not the case, please contact the Canonical Services Office prior to submitting the petition. Affidavit of witnesses should be submitted with the petition, if at all possible. Please use only the form entitled “Affidavit of Non-Validation: Witness” supplied by the office (in English or Spanish).

**SPECIAL NOTES:**

1. For marriages celebrated by a Latin Catholic with an Orthodox Christian on or after March 25, 1967 (for most Eastern Catholics the date is January 21, 1965), the canonical form of marriage is necessary only for liceity. Such marriages, if entered with the assistance and solemn blessing of an Orthodox priest, are valid (see c. 1127, §1). Only if a minister of either Church did not officiate at the ceremony is a Lack of Form case possible.

2. If the marriage in question took place on or after November 27, 1983 and before April 9, 2010, it is necessary to inquire if the Catholic party abandoned the faith by a formal act at any time prior to the marriage. Those who publicly renounce membership in the Catholic Church, who become members of another Christian or non-Christian denomination through some explicit act of enrollment, profession of faith, baptism, etc., or who make a formal profession of atheism may have left the faith by a formal act. If so, they were not bound by the required canonical form of marriage (c. 1117) during that time period. Please consult the Canonical Services Office.

3. Failure to fulfill natural obligations toward one’s spouse and children arising from a marriage, even an invalid one, is an obstacle to marriage in the Church (c. 1071, §1, 3°). It is necessary to ask both parties if proper child support and/or alimony are being paid. This will aid the priest or deacon to form the moral certitude as to whether or not the petitioner is capable of assuming the obligation of a new marriage. If the petitioner is not meeting these obligations, no marriage in the Church should be scheduled until the matter is resolved.

4. Though not strictly required for the case by canon law, it would be pastorally advisable to learn why this attempted marriage was never validated. Such information could be useful to the pastoral minister in preparing a couple for a successful Catholic marriage.

5. Please include in a cover letter any additional information which you consider helpful in evaluating the case.

*Revised November 2010*