In order to determine whether to apply for a Pauline Privilege, please review the following canons.

Canon 1143 - §1. A marriage entered into by two non-baptized persons is dissolved by means of the Pauline Privilege in favor of the faith of the party who has received baptism by the very fact that a new marriage is contracted by the same party, provided that the non-baptized party departs.

Conditions for the Application of the Pauline Privilege

The essential conditions for the application of the Pauline Privilege are:
(a) a marriage entered into by two unbaptized persons;
(b) the subsequent baptism of one and only one of the spouses; and
the “departure” of the still unbaptized spouse.

Departure of the Unbaptized Spouse

Canon 1143 - §2. The non-baptized party is considered to depart if he or she does not wish to cohabit with the baptized party or to cohabit peacefully without affront to the Creator unless the baptized party, after baptism was received, has given the other a just cause for departing.

Interpellations

Canon 1144 - §1. For the baptized party to contract a new marriage validly, the non-baptized party must always be interrogated whether:
1. he or she also wishes to receive baptism;
2. he or she at least wishes to cohabit peacefully with the baptized party without affront to the Creator.

Canon 1144 - §2. This interrogation must be done after baptism. For a grave cause, however, the local ordinary can permit the interrogation to be done before baptism or can even dispense from the interrogation either before or after baptism provided that it is evident at least by a summary and extrajudicial process that it cannot be done or would be useless.
Pauline Privilege

Manner of Making the Interpellations

Canon 1145 - §1. The interrogation is regularly to be done on the authority of the local ordinary of the converted party. This ordinary must grant the other spouse a period of time to respond if the spouse seeks it, after having been advised, however, that his or her silence will be considered a negative response if the period passes without effect.

Canon 1144 - §2. Even an interrogation made privately by the converted party is valid and indeed licit if the form prescribed above cannot be observed.

Canon 1145 - §3. In either case, the fact that the interrogation was done and its outcome must be established legitimately in the external forum.

Right to Remarry

Canon 1146 – The baptized party has the right to contract a new marriage with a Catholic party:
1. if the other party responded negatively to the interrogation or if the interrogation had been omitted legitimately;

2. if the non-baptized party, already interrogated or not, at first persevered in peaceful cohabitation without affront to the Creator but then departed without a just cause, without prejudice to the prescripts of canon 1144 and 1145.

Possibility of a Mixed Marriage

Canon 1147 – For a grave cause, however, the local ordinary can allow a baptized party who uses the Pauline privilege to contract marriage with a non-Catholic party, whether baptized or not baptized; the prescripts of the canons about mixed marriages are also to be observed.
PAULINE PRIVILEGE PETITION
FOR THOSE WHO INTEND TO REMARRY
IN THE CATHOLIC CHURCH AFTER RECEIVING BAPTISM

 Canonical & Tribunal Services
 Diocese of Austin, Pastoral Center
 6225 E US 290 HWY SVRD EB
 Austin, TX 78723

FOR TRIBUNAL USE ONLY:

Case Title: ________________________________  Case Number: ________________________________

(PLEASE PRINT)

1. PETITIONER  Male □  Female □  Mr. □  Mrs. □  Miss □  Dr. □

   First Name _____________________________
   Middle _____________________________
   Maiden _____________________________
   Present Last Name _____________________________

   Present Address _____________________________

   City, State, Zip _____________________________

   Telephone Numbers _____________________________
   Email Address _____________________________

2. RELIGION OF PETITIONER

   Religion at time of marriage to the Respondent (former spouse) _____________________________

   Religion as of the present date _____________________________

   Is it your present intention to become a Catholic?  Yes □  No □

   Are you currently attending an RCIA (Rite of Christian Initiation of Adults)?  Yes □  No □

   Where attending? _____________________________

   Name and address of Church presently attending _____________________________

   Intended date of Baptism _____________________________

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Pauline Privilege

Are you already baptized? Yes □ No □

If yes, current religion ____________________________________________________________

Date of Baptism _________________________________________________________________

Place of Baptism __________________________________________________________________

If baptized, provide a current Baptismal Certificate

3. WITNESSES FOR THE PETITIONER (Please provide two credible witnesses who can attest that the Petitioner was not baptized at the time of the marriage to the Respondent.)

Name ___________________________________ Relationship ____________________________

Address ________________________________________________________________________

Name ___________________________________ Relationship ____________________________

Address ________________________________________________________________________

4. RESPONDENT (Former Spouse) Male □ Female □ Date of Birth __________________________

(Mr Mrs Miss Dr) First Name Middle Maiden Present Last Name

Present Address _________________________________________________________________

City, State, Zip

Telephone Numbers Email Address

IF THERE IS ANY REASON WHY RESPONDENT SHOULD NOT BE CONTACTED, PLEASE NOTE REASON.

________________________________________________________________________________________

(Proof must be provided through a Medical Report, Police Report or Court Order.)

5. RELIGION OF RESPONDENT

Respondent’s Religion at the time of the marriage ___________________ As of this date ___________________

Did the Respondent submit to a ceremony of christening, sprinkling, or immersion (Trinitarian form – “in the name of the Father, Son, and Holy Spirit? Yes □ No □

Describe: ________________________________________________________________

________________________________________________________________________________________

Are you certain that the Respondent was never baptized? Yes □ No □
6. **WITNESSES FOR THE RESPONDENT** (Please provide two credible witnesses who can attest that the Respondent was not baptized at the time of the marriage to the Petitioner).

Name & Address __________________________________________ Relationship _____________________________

Name & Address __________________________________________ Relationship _____________________________

7. **RELIGIOUS BACKGROUND OF PETITIONER AND RESPONDENT**

Did either Petitioner or Respondent attend Sunday School or CCD or receive any religious instruction as a child?

Petitioner  Yes ☐ No ☐  Respondent  Yes ☐ No ☐

Which church, if any, did the parents attend while raising their family?

Petitioner ___________________________  Respondent ____________________________

If the parents attended a church, was either party ever initiated into that church membership?

Petitioner ___________________________  Respondent ___________________________

8. **MARRIAGE INFORMATION** (First Marriage. If not the first marriage, explain).

_________________________________________________________________________________________________________________________________________________________________________________________

a) Date and place of church/civil ceremony (name, address, minister, i.e. priest, deacon, minister, rabbi, justice of the peace)

_________________________________________________________________________________________________________________________________________________________________________________________

**Provide a copy of the marriage license/certificate.**

b) Was this the first marriage for you?  Yes ☐  No ☐

c) Was this the first marriage for your former spouse?  Yes ☐  No ☐

d) Date and place (city, county, state) of civil divorce __________________________________________

**Provide a copy of the divorce decree signed by the judge.**
e) Reason for the break-up of marriage. Explain ____________________________________________________________

f) Is there any hope of you and your former spouse being reconciled? Explain ______________________________

________________________________________________________________________________________

______________________________________________________________________________________________

9. CHILDREN OF THE FIRST MARRIAGE— Name(s) and birth dates of children of this marriage?

<table>
<thead>
<tr>
<th>Name(s)</th>
<th>Birth Dates</th>
</tr>
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<tbody>
<tr>
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</tr>
</tbody>
</table>

10. PRESENT OR INTENDED MARRIAGE

a) Name of □ INTENDED □ PRESENT spouse

<table>
<thead>
<tr>
<th>First</th>
<th>Middle</th>
<th>Maiden</th>
<th>Last</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

b) If you have not yet remarried, please provide the address, religion, and current marital status of your fiancé/fiancée.

________________________________________________________________________________________

c) What is your spouse/fiancé/fiancée’s current religion? _________________________________

d) Date and place of Baptism _________________________________

Provide a currently dated Baptism certificate.

e) If you have not yet married, date, church/place, and address of intended marriage ______________

________________________________________________________________________________________
f) If you are currently married, date and church/place of marriage (Church/civil ceremony place, address, church denomination and whether by a minister or Justice of the Peace).

*Provide a copy of the marriage license/certificate.*

____________________________________________________________________________

____________________________________________________________________________


g) Has your present or intended spouse had a prior marriage(s)?

Provide a copy of the marriage license/certificate, divorce decree, copy of nullity, or death certificate, if applicable.

h) Were you or your present spouse responsible for the breakup of your marriage to your former spouse?

Explain.

____________________________________________________________________________
MARRIAGE HISTORY OF THE PETITIONER

List all marriages from past to present.

<table>
<thead>
<tr>
<th>A. PETITIONER’S NAME: _____________________________________________</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spouse Name</strong></td>
<td><strong>First &amp; Last</strong></td>
</tr>
<tr>
<td>lst</td>
<td></td>
</tr>
<tr>
<td>2nd</td>
<td></td>
</tr>
<tr>
<td>3rd</td>
<td></td>
</tr>
<tr>
<td>4th</td>
<td></td>
</tr>
</tbody>
</table>

MARRIAGE HISTORY OF THE RESPONDENT

List all marriages from past to present.

<table>
<thead>
<tr>
<th>A. RESPONDENT’S NAME: _____________________________________________</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spouse Name</strong></td>
<td><strong>First &amp; Last</strong></td>
</tr>
<tr>
<td>lst</td>
<td></td>
</tr>
<tr>
<td>2nd</td>
<td></td>
</tr>
<tr>
<td>3rd</td>
<td></td>
</tr>
<tr>
<td>4th</td>
<td></td>
</tr>
</tbody>
</table>
Pauline Privilege

I, the undersigned _________________________, state under oath that the statements in this Petition are true. I respectfully petition the Tribunal of the Diocese of Austin to investigate the possibility of the use of the Pauline Privilege regarding the marriage that I intend to contract with ________________________________

__________________________________________________________________________________________, on

__________________________________________________________________________________________

__________________________________________________________________________________________

Please keep a copy for your files.

___________________________________  ____________________________________________
Print Name of Petitioner                   Print Name of Pastor or Advocate

__________________________________________________________________________________________
Signature of Petitioner                     Pastor or Advocate

__________________________________________________________________________________________
Parish

Parish Address

__________________________________________________________________________________________
Date

Parish Seal

Included:
__ 1. Copy of marriage license/certificate between Petitioner & Respondent
__ 2. Copy of divorce decree between Petitioner & Respondent
__ 3. Correct addresses for Petitioner, Respondent and witnesses
__ 4. Marriage license/certificate of current marriage, if remarried
__ 5. Marriage license/certificate and divorce decree, nullity decree or death certificate if current or intended spouse had any prior marriage(s)
__ 6. Currently dated Baptismal Certificate of Petitioner
__ 7. Currently dated Baptismal Certificate of present or intended spouse
__ 8. Baptismal status of Respondent
__ 9. Send to Canonical & Tribunal Services, 6225 E US 290 HWY SVRD EB Austin, TX 78723
__10. Two investigations are needed if Respondent's address is invalid. Tribunal Professional Charge for website investigation is $100.00.
__11. For all other applicable fees, please see fee page.