



CATHOLIC DIOCESE OF KALAMAZOO

Office of the Tribunal

215 N. Westnedge Street, Kalamazoo MI 49007-3760; 269-903-0215

Procedure for Lack of Form Case

1. The “Lack of Form” is a documentary case which is based on the fact that a baptized Catholic is required to observe the laws of the Church concerning marriage, that is, that a Catholic must contract marriage in the presence of an authorized priest or deacon and two adult witnesses. If that is not observed, the marriage is not considered valid in the mind of the Church.
2. The following must be determined prior to seeking a declaration of nullity or invalidity due to Lack of Form:
 - At least one of the parties to a marriage must be a baptized Catholic who has not formally rejected the faith. The baptism must have taken place before the marriage.
 - The marriage was contracted by the parties before other than a Catholic priest or deacon (civil official, non-Catholic minister, etc)
3. The Petition of Declaration of Nullity (Lack of Form Application)
 - Please fill out the form completely (the Tribunal will assign the Protocol Number upon receipt of the request).
 - Make sure the information provided is legible or it will be returned for clarification.
4. Additional required document:
 - A copy of the CIVIL record of marriage attempted outside the Church.
 - A copy of the civil divorce/dissolution with signature of the Judge and date of entry.
 - A certificate of baptism/profession of faith from the place of record, issued within the past **six** months, with a pertinent “no marriage” notation.
 - Affidavits from two witnesses are required to attest that the attempted marriage was never ecclesiastically valid in the Catholic Church. A Catholic priest or deacon may act as one witnesses.
 - For multiple declarations of nullity due to Lack of Form on behalf of the **same** Petitioner, use a **separate** petition for **each** attempted marriage to a different party.
 - A non-Catholic may be the Petitioner when it is not possible to have the Catholic party assume this role.
 - For marriages contracted before a non-Catholic Oriental priest (e.g. an Orthodox priest), please ask for forms from the Tribunal. Note that a declaration of nullity on the basis of Lack of Form cannot be granted:
 - a) For a marriage between a Latin Rite Catholic and a non-Catholic Oriental priest on or after 25 March 1967.
 - b) For a marriage between an Easter Rite Catholic and a non-Catholic Oriental priest on or after 21 January 1965.
5. Please return documents to: Diocesan Tribunal, 215 N Westnedge Ave, Kalamazoo MI 49007-3760.

NOTE: A baptized Catholic who formally rejected the faith prior to the marriage cannot be given this decree of nullity since that marriage is considered valid.