

**DO I NEED TO HAVE MY PREVIOUS
MARRIAGE INVESTIGATED BY THE
TRIBUNAL?
WHAT KIND OF CASE WILL I NEED?**

Metropolitan Tribunal

Archdiocese of San Antonio

Click [here](#) to begin.

Have I ever been married before?

- YES
- NO

Is my former spouse still living?

- YES
- NO

Prior to this former marriage, were I and/or my former spouse baptized as a Catholic?

- Yes, either both or one of us were baptized as a Catholic prior to our former marriage.
- No, neither of us were baptized as a Catholic, and/or no one became Catholic until *after* our wedding.

When I married my former spouse, did we marry in the Catholic Church?

- Yes, we married in the Catholic Church.
- No, we:
 - Married civilly in front a justice of the peace or other civil official
 - Married in another Christian church
 - Married in another religion

Was permission sought (a “dispensation”) for the Catholic to marry “outside the Church?”

- YES

- NO

Was the marriage ever convalidated in the Catholic Church (“blessed,” “we later married in the Catholic Church,” “renewal of vows in a Catholic Church,”) etc.?

- YES
- NO

Would my former spouse...

- not be opposed to a declaration of nullity (or in agreement that our marriage be declared invalid), as well as willing to participate in the nullity process?
- potentially be opposed to a declaration of nullity, or unwilling to participate? Or would I have difficulty contacting or communicating with my former spouse?

Ordinary Process

You will need to submit the “Formal Petition for a Declaration of Nullity” and its supporting documents. The Petition can be found on our website:

www.archsa.org/tribunal/en/forms

START OVER

OR

I do not think I will qualify for the CP

Collaborative Process (CP)

- The Collaborative Process is supplemental to the Ordinary Process and can be used when the following criteria are met:
 - The former spouse is not opposed to the marriage being declared invalid
 - The former spouse is willing to participate
 - The reason for the nullity of the marriage is “manifest” or obvious.
- You **cannot** use the Collaborative Process without a Submitting Minister (Catholic priest/deacon)
- If your former spouse is willing to participate, please mention this to your Submitting Minister and ask to participate in the Collaborative Process. The instructions and forms for the Submitting Minister are available on the website: www.archsa.org/tribunal/en/forms
- Please note that whether a petition is accepted as a Collaborative Process or not is up to the discretion of the Judicial Vicar. However, having already obtained the participation and testimony of the former spouse always is helpful for the processing of the case.
- It is still required that the “Formal Petition for a Declaration of Nullity” be completed, in addition to the CP forms.

Lack of Canonical Form

- A “Lack of Canonical Form” is when at least one party is Catholic and they do not marry in the Catholic Church (without permission and without convalidating the marriage). The marriage is invalid in virtue of the fact that the Catholic party failed to follow the “form” required by the Church.
- When you prepare for a subsequent marriage, the priest, deacon, or parish staff will complete the document “Lack of Canonical Form.” This does not require an extensive investigation, but rather various documentation such as the:
 - the baptismal certificates of the Catholic parties,
 - the civil marriage license,
 - and the civil divorce decree.

Please talk to your pastor or the designated person for marriage preparation at your parish when you are preparing for a new marriage and make sure to mention that this marriage was outside the Catholic Church.

(Former) spouses who have died.

- You do not need to have your marriage investigated. The death of a former spouse frees the living spouse to enter into a new marriage.
- If you are attempting to now remarry in the Catholic Church, you will need to provide a death certificate or other documentation to prove the death. Please visit www.archsa.org/tribunal and click on “Finding my Former Spouse” for tips.

You do not need to approach the Tribunal for assistance.

Please pray for the families and marriages of the Archdiocese of San Antonio, and for all who minister to them.