

PETRINE PRIVILEGE

In order to determine whether to apply for a Petrine Privilege, please review the following:

Canon 1150. In a doubtful matter the privilege of faith possesses the favor of the law.

The Petrine Privilege - The marriage between two non-Catholics, one of whom is baptized, (and in some cases, the marriage between a Catholic and a non-baptized person) can be dissolved by the Roman Pontiff in "favor of the faith" (CDF Instruction, 30 April 2001). This dissolution is considered to be a pastoral remedy for the good of souls. The favor is requested through the diocesan bishop who is then responsible for gathering the necessary documentation and sending it to the Congregation for the Doctrine of the Faith (CDF). The CDF examines the request and forwards it to the Holy Father for his signature if all requirements have been fulfilled.

Requirements - Certain conditions must be verified before the favor can be granted.

1. The marriage in question remains non-consummated after the baptism of the non-baptized party.
2. There is no possibility of restoring conjugal life.
3. The petitioner was not the cause of the breakdown of the conjugal relationship.
4. The petitioner's current or intended spouse did not provoke the breakdown of the conjugal relationship.
5. The petitioner has fulfilled his/her moral and civil obligations toward the first spouse and offspring.
6. A Catholic party must declare that he/she is prepared to remove all dangers of defecting from the faith. The petitioner's current or intended spouse, if non-Catholic, must declare that he/she is prepared to allow the Catholic party the freedom to practice his/her religion and the freedom to baptize and educate the children as Catholics.
7. If the marriage to be dissolved had been entered into with a dispensation from disparity of cult, the case can be presented for examination only if the Catholic party intends to enter a new marriage with a baptized party.



PETRINE PRIVILEGE

Case: _____ - _____ **Prot. No.** _____

1. PETITIONER

Male

Female

(Mr., Mrs., Miss, Dr.) First Name

Middle

Maiden

Present Last Name

Date / Place of Birth

Present Address

City, State, Zip

Telephone Numbers

E-mail Address

2. RELIGION OF PETITIONER

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

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? _____

Name and address of church presently attending _____

Intended date of Baptism _____

Are you already baptized? Yes No

If yes, date of Baptism _____

Baptized in what denomination? _____

Current religion _____

Place of Baptism _____
Church City County State

NOTE: If Baptized, Please Provide a Current Baptismal Certificate

3. WITNESSES FOR THE PETITIONER (According to Catholic Church law, the truth of a matter cannot be determined solely on the word of one person. Credible witnesses are required to verify the testimony of the parties involved in all cases submitted to the Church for resolution. Witnesses will need to answer questions about whether you or your former spouse were ever baptized. The names of parents, blood relatives and/or people who have knowledge of the parties from infancy to the present are preferable. Please provide two [2] credible witnesses who can attest that the Petitioner was NOT baptized at the time of the marriage to the Respondent.)

Name & Address _____

Relationship/Telephone _____

Name & Address _____

Relationship/Telephone _____

4. RESPONDENT (Former Spouse) Male Female

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

Date / Place of Birth

Present Address

City, State, Zip

Telephone Numbers E-mail 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 _____

Did the Respondent submit to a ceremony of baptism by christening, sprinkling, or immersion and by Trinitarian form (“*in the name of the Father, Son, and Holy Spirit?*”) Yes No

If yes, describe the Baptismal Ceremony: _____

Are you certain that the Respondent was never baptized? Yes No

6. WITNESSES FOR THE RESPONDENT (According to Catholic Church law, the truth of a matter cannot be determined solely on the word of one person. Credible witnesses are required to verify the testimony of the parties involved in all cases submitted to the Church for resolution. Witnesses will need to answer questions about whether you or your former spouse were ever baptized. The names of parents, blood relatives and/or people who have knowledge of the parties from infancy to the present are preferable. Please provide two [2] credible witnesses who can attest that the Respondent was NOT baptized at the time of the marriage to the Petitioner.)

Name & Address _____

Relationship/Telephone _____

Name & Address _____

Relationship/Telephone _____

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 (e.g., Catholic, Baptist, Methodist etc.)?

Petitioner _____ Respondent _____

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

Petitioner _____ Respondent _____

8. MARRIAGE INFORMATION

Date and church/civil place of marriage (name, address, minister, i.e. priest, deacon, minister, rabbi, justice of peace) Provide a copy of the marriage license/certificate.

Was this the first marriage for you? Yes No

If no, explain _____

Was this the first marriage for your ex-spouse? Yes No

If no, explain _____

How long did you live together as husband and wife? _____

Date of final separation _____

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

Provide a copy of the divorce decree.

Is there any hope of you and your former spouse being reconciled? Explain _____

Were you, or your current/intended spouse responsible for the break-up of this marriage?
Yes No If yes, explain

Has your former spouse remarried? If yes, date and church/civil ceremony, minister, city, county, state? _____

9. CHILDREN OF THE FIRST MARRIAGE - Names and birth dates of children of this marriage

Name	Date of Birth

10. PRESENT OR INTENDED MARRIAGE

Name of INTENDED PRESENT spouse

First Middle Maiden Last

If you have not yet remarried, please provide the address of your future spouse/ fiancé/ fiancée.

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

What is the denomination, date and place of Baptism?

Provide a currently dated Baptism certificate.

If you have NOT yet married, date & church/place of intended marriage

If you are currently married: date and church/place of marriage (name, address, Church/civil ceremony, denomination of church, justice of the peace).

Provide a copy of the marriage license/certificate.

Has your present or intended spouse had a prior marriage(s)? Yes No

Provide a copy of:

- ___ *marriage license/certificate*
- ___ *final divorce decree*
- ___ *copy of nullity*
- ___ *death certificate, if applicable*

MARRIAGE HISTORY OF THE PETITIONER

List all marriages from past to present.

A. PETITIONER'S NAME				
Spouse Name First and Last	Date of Marriage	Date of Divorce	Was the spouse in a prior marriage? If so, provide the name of this person's previous spouse. Catholic or Non-Catholic?	Was the spouse living or deceased at the time of the subsequent marriage? Provide death certificate if deceased.
1 st				Living () Deceased ()
2 nd				Living () Deceased ()
3 rd				Living () Deceased ()
4 th				Living () Deceased ()

MARRIAGE HISTORY OF THE RESPONDENT

List all marriages from past to present.

A. RESPONDENT'S NAME				
Spouse Name First and Last	Date of Marriage	Date of Divorce	Was the spouse in a prior marriage? If so, provide the name of this person's previous spouse. Catholic or Non-Catholic?	Was the spouse living or deceased at the time of the subsequent marriage? Provide death certificate if deceased.
1 st				Living () Deceased ()
2 nd				Living () Deceased ()
3 rd				Living () Deceased ()
4 th				Living () Deceased ()

I, the undersigned _____, state under oath that the statements in this Petition are true. I respectfully petition the Tribunal of the Diocese of Tyler to investigate the possibility of the use of the Privilege of the Faith regarding the marriage which I intend to contract with (*name of intended spouse*) _____, on (*expected date of marriage*) _____, at (Church, address, city, state, zip code) _____

Print Name of Petitioner

Print Name of Pastor or Ecclesiastical Advocate

Signature of Petitioner

Signature of Pastor or Ecclesiastical Advocate

If you send this form electronically you need to scan your signature; otherwise, sign and send it by regular mail.

Date

Parish and Address

(Parish Seal)

REQUIRED DOCUMENTS

1. A Certificate of Baptism for all Catholic parties involved: the Petitioner, the Respondent and the Petitioner's current or intended spouse. These must be issued from the church of baptism within the last six months. They must include all sacramental notations and the parish seal. If a party was baptized in a non-Catholic Christian church and was later received into the Catholic Church, a **Certificate of Profession of Faith** from the Catholic Church of reception is required. (Copies are not acceptable).

2. A certified copy (i.e., stamped and dated by the county clerk) **of the marriage license** for the petitioner and respondent issued by the County Clerk's Office.

3. A certified copy of the civil divorce decree for the petitioner and respondent issued by the County Clerk's Office.

4. If the petitioner and respondent were married in the Catholic Church after receiving a dispensation from disparity of cult, a **copy of the dispensation** is required along with a copy of the pre-nuptial investigation.

5. If the petitioner is currently in a civil marriage, a **certified copy** of the marriage license for the petitioner and the petitioner's current spouse issued by the County Clerk's Office.

6. If the petitioner's current or intended spouse was in a previous marriage and has had that marriage declared null by the Catholic church, a **copy of the sentence** or a **copy of the death certificate** if the spouse is deceased is required.

The following are included (*initial each*):

1. _____ Certified copy of marriage license/certificate between Petitioner & Respondent
2. _____ Certified copy of civil divorce decree between Petitioner & Respondent
3. _____ Copy of dispensation from disparity of cult (can be obtained from the parish of marriage)
4. _____ Copy of the prenuptial investigation (can be obtained from the parish of marriage)
5. _____ Correct addresses for Petitioner, Respondent and witnesses
6. _____ Current Baptismal Certificate if applicable
7. _____ Baptismal Certificate of current spouse/ fiancé/ fiancée
8. _____ If required, copy of Declaration of Nullity
9. _____ If required, copy of the death certificate of deceased former spouse



DIOCESE
of
TYLER

Diocesan Tribunal

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PETRINE PRIVILEGE

Canon Law outlines this type of case is to be processed by the Holy See. The Petrine Privilege cases are judged by the Congregation for the Doctrine of the Faith in Rome. These cases are subject to the fees assigned by Rome, and therefore the Petitioner is advised to cover the expenses as outlined by Rome.

I, _____, the Petitioner understand and agree to cover the costs assigned by the Holy See, Rome to process my cause.

Petitioner Signature

Date

September 2018