

# ARCHDIOCESE OF INDIANAPOLIS

Application for

## MATRIMONIAL DISPENSATION

and/or

## MATRIMONIAL PERMISSION

*application to be mailed to:*

THE CHANCERY OFFICE

P. O. Box 1410

1400 North Meridian Street

Indianapolis, IN 46206



### INSTRUCTIONS

1. The information sought in the forms found in this booklet is necessary. Therefore, in using them you are asked to make the data complete and accurate. The applications will be marked and preserved as permanent records of the dispensations granted. to avoid the danger of error, you are requested either to type or to print the names of both parties.
2. These forms may be used in applying for dispensation from any matrimonial impediments that lie within the power of the Archbishop to dispense and also for the permissions required by Canon, 1071, §1, 4° and by Canon 1124 of the Revised Code of Canon Law.
3. The particular impediment(s) from which dispensation is sought should be indicated in the space provided. *Mixed Religion* is no longer designated as an impediment, but *permission* is required in this situation. This is dealt with in no. 9 of these Instructions. However, if there is doubt about either the fact or the validity of the Baptism of the non-Catholic, dispensation should be sought *ad cautelam* from the impediment of Disparity of Worship and permission for the Mixed Marriage.
4. **THE DECLARATION AND PROMISE:** When dispensation is sought from the impediment of Disparity of Worship, it is required that the Catholic party make a declaration and promise in writing. The person who witnesses the signature should in every case be sure that the Catholic party understands the declaration and promise and is sincere in making them. The party who is not a Catholic is to be informed that the Catholic has made this declaration and promise. The same declaration and promise are required for permission for Mixed Religion (cf. no. 9).
5. **TO WHOM DISPENSATIONS CAN BE GRANTED:** The Archbishop can dispense from impediments only Catholics who have residence in the Archdiocese or who are actually present in it. Therefore, dispensations should normally be requested from the Ordinary of the Catholic party. If serious reasons necessitate a departure from this norm, it should be borne in mind that the physical presence of the person in the Archdiocese *at the time the dispensation is granted* is necessary for its validity.
6. **REASONS FOR GRANTING DISPENSATIONS:** According to Canon 90 dispensation from any ecclesiastical law can be granted only for a just and reasonable cause, one proportionate to the gravity of the law and the circumstances. In general, the spiritual good of the faithful is a legitimate cause; but inasmuch as the Archbishop must act with an informed conscience, you are requested to specify briefly the nature of the good to be achieved or protected. No list of “canonical causes” is necessary, but the following are samples of such reasons: “to avert a civil marriage,” “to facilitate the conversion of the other party,” “to legitimate a child or children already born or to be born,” “to permit a marriage which is of more than ordinary promise because of the couple’s dedication and insight.”

## INSTRUCTIONS (continued)

7. It is requested for administrative purposes that, if a dispensation is not used within six months of the time that it is granted, notice of this be sent to the Chancery.

### 8. A LIST OF ALL IMPEDIMENTS:

1. Non-age: 16 for males, 14 for females (Canon 1083)
2. Antecedent and Perpetual Impotence (Canon 1084)
3. Prior Bond (Canon 1085)
4. Disparity of Worship (Canon 1086)
5. Sacred Orders (Canon 1087)
6. Perpetual Vow of Chastity in a Religious Community (Canon 1088)
7. Abduction (Canon 1089)
8. Crimen - the impediment involving attempted marriage or promise of marriage has been dropped; only the two forms involving murder are left. (Canon 1090)
9. Consanguinity - any degree in the direct line, to the fourth degree inclusive in the collateral line (Canon 1091)
10. Affinity - any degree in the direct line (Canon 1092)
11. Public Propriety - to the second degree in the direct line (Canon 1093)
12. Adoptive Relationship - any degree in the direct line, to the second degree in the collateral line (Canon 1094)

9. As noted in no. 3, the *impediment* of Mixed Religion no longer exists; but for the marriage of a Catholic with a validly baptized member of another Christian communion, permission is required (Canon 1124) with the same requirements as for dispensation from the impediment of Disparity of Worship (Canon 1125). This also applies when the non-catholic party, though baptized in the Catholic Church, has become a member of another Church. When a Catholic wishes to marry a person who was baptized a Catholic but is commonly known to have abandoned the Church, *permission* and the same conditions are required (Canon 1071, §1, 4°). Although other requirements are set forth in this Canon, e.g., concern for the attitude of parents of minors who wish to marry, it is not practical to provide for these matters in a form designed for general use. If there is any doubt, please consult the Chancellor.

10. **DISPENSATIONS ARE NEVER GRANTED FROM THE IMPEDIMENTS OF:** Impotence, Prior Bond, Consanguinity in the direct line or in the second degree of the collateral line.

DISPENSATIONS ARE GRANTED ONLY BY THE HOLY SEE FROM THE IMPEDIMENTS OF: Holy Orders, Public Perpetual Vows, Crimen. (This includes also *imperfect sanations*. Cf. no. 14 of these Instructions.)

### 11. CONSANGUINITY AND AFFINITY—COMPUTATION OF DEGREES:

There is a distinct difference in terminology in the Revised code of Canon Law from that previously used. In any case the beginning point is the common ancestor. thereafter, any direct descendant is related to him/her and to all other direct descendants in the direct line. The change is in the computation of the degrees of collateral relationship. In the current law, computation of degrees of relationship is based on the number of *persons* collaterally descendent from the common ancestor, not on the number of *levels* of descent. In the prior law siblings were related in the first degree of the collateral line, first cousins fourth and so on. Marriage is invalid in all degrees of the direct line and invalid up to the fourth degree inclusive of the collateral line.

**AFFINITY** arises from marriage and relates one of the spouses to the relatives of the other spouse in the same degree. Thus, a widow is related in direct line of affinity to the father of her husband. Marriage is invalid in all degrees of affinity in the direct line.



**INSTRUCTIONS**  
**(continued)**

The ordinary request for dispensation by way of sanation should then be sent to the Chancery Office with the notation in the space provided that sanation is sought and with indication in the space provided that all of the above facts are verified.

When the rescript of sanation has been received, the person who has petitioned it should be informed that it has been granted and the marriage from the date of the sanation is valid and binding until death. Sacramental absolution should be strongly urged, and all entries and notifications should be made with appropriate adaptations.

No sanation can be granted for a marriage which was impeded at the beginning by natural or divine law, even though the impediment has ceased, e.g., by the death of the spouse; but in this case an imperfect sanation can be sought from the Holy See. Also, it should be noted that only the Holy See can grant sanations in case of impediments reserved to it (cf. no. 10 of these Instructions).

Rev. 3/07

Application to the  
**ARCHDIOCESE OF INDIANAPOLIS**  
FOR MATRIMONIAL DISPENSATION  
AND/OR  
MATRIMONIAL PERMISSION

Chancery No. _____ _____
Disp. from _____
Perm. for _____
Granted by _____
Date: _____ 20 _____

\_\_\_\_\_, a Catholic  
(Print or type name)  
of \_\_\_\_\_ Parish, \_\_\_\_\_, IN,  
child of \_\_\_\_\_ and \_\_\_\_\_,  
(Full name of Father) (Maiden name of Mother)  
wishing to marry \_\_\_\_\_,  
(Print or type name)  
child of \_\_\_\_\_ and \_\_\_\_\_,  
(Full name of Father) (Maiden name of Mother)  
who is:

- a Catholic of \_\_\_\_\_ Parish, \_\_\_\_\_, \_\_\_\_\_<sup>(City)</sup>,
- a Catholic generally known to have given up the Church,
- a member of another Church, baptized in the Catholic Church,
- a validly baptized member of the \_\_\_\_\_ Church,
- a doubtfully baptized member of the \_\_\_\_\_ Church,
- a person who has never been baptized,

petitions Your Excellency to grant:

- dispensation from the impediment of Disparity of Worship (unbaptized).
- dispensation from the impediment of \_\_\_\_\_ .
- permission for marriage of Mixed Religion.
- permission for marriage of Mixed Religion and *ad cautelam* dispensation from the impediment of Disparity of Worship (doubtful baptism).

The reason for asking this dispensation or permission is the spiritual welfare of the parties which is particularly:

- to avert a civil marriage,
- to facilitate the conversion of the other party,
- to legitimate a child or children already born or to be born,
- to permit a marriage which is of more than ordinary promise, because of the couple's dedication and insight.
- other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of the proposed Marriage: \_\_\_\_\_

Name of Church: \_\_\_\_\_

Address of Church: \_\_\_\_\_

Name of Officiant: \_\_\_\_\_

Date of Application: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

I have investigated the freedom to marry of the parties in accordance with Canons 1066-1070 and find no other impediment to their marriage.

Pastor/Associate Pastor/Delegate: \_\_\_\_\_

Church of \_\_\_\_\_

Address: \_\_\_\_\_

This dispensation is sought by way of sanation.

### DECLARATION AND PROMISE BY THE CATHOLIC PARTY

I reaffirm my faith in Jesus Christ and with God's help intend to continue living that faith in the Catholic Church.

I promise to do all in my power to share the faith I have received with our children by having them baptized and reared as Catholics.

\_\_\_\_\_  
(Signature of Priest)

\_\_\_\_\_  
(City) (State)

\_\_\_\_\_  
(Signature of Catholic Party)

\_\_\_\_\_  
(Date)

### STATEMENT BY PRIEST

I, the undersigned, attest that the non-Catholic party has been informed that the Catholic has made this declaration and promise so that it is certain that the former is aware of the promise and obligation on the part of the Catholic.

In my judgement the Catholic party has been sincere in making this declaration and promise.

The requisite instructions have been given concerning the ends and properties of marriage.

Since this dispensation (permission) is sought by way of sanation, I further attest that the facts and conditions set forth in no. 13 of the Instructions have been met.

\_\_\_\_\_  
(Pastor, Associate Pastor, Delegate)

\_\_\_\_\_  
(Date)

Church of \_\_\_\_\_

\_\_\_\_\_  
(City) (State)