

# ARCHDIOCESE OF INDIANAPOLIS

Petition for

## MATRIMONIAL DISPENSATION

*application to be mailed to:*

**THE CHANCERY OFFICE**

**P. O. Box 1410**

1400 North Meridian Street

Indianapolis, IN 46202

### INSTRUCTIONS

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.

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.

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 and may be granted by pastors and associate pastors of the Archdiocese of Indianapolis, but the request for permission when connected with a dispensation must be submitted to the Chancery. 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.

**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).

**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.

**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."

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.

**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)

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 Vicar Judicial.

**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, and Crimen. (This includes also imperfect sanations. Cf. no. 14 of these Instructions.)

**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.

**ADOPTIVE RELATIONSHIP:**

This impediment is substantially different in the Revised Code of Canon Law from that set forth in Canon 1080 of the 1917 Code. The present Code establishes as a canonical impediment Adoptive Relationship in any degree of the direct line or in the second degree of the collateral line. (For example, the natural son and the adopted daughter of a family are related by Adoptive Relationship in the second degree of the collateral line: their marriage is impeded by Canon 1094.) Civil law must also be followed in this matter, of course, since it is certainly the right of the State to legislate concerning the civil effects of legal adoption.

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Petition for

**MATRIMONIAL DISPENSATION**

application to be mailed to:

**THE CHANCERY OFFICE**

**P. O. Box 1410**

1400 North Meridian Street

Indianapolis, IN 46202

I, the undersigned Priest/Deacon/Delegate of the Parish of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
*Name of Parish City State*

do hereby request that the following dispensation be granted (*check the applicable one(s) below*):

- Dispensation from Canonical Form and Permission for a Marriage of Mixed Religion
- Dispensation from Canonical Form and Dispensation from the Impediment of Disparity of Worship
- Dispensation from the Impediment of Disparity of Worship
- Permission for a Marriage of Mixed Religion and *ad cautelam* a Dispensation from the Impediment of Disparity of Worship (in the case of doubt regarding the baptism of the non-Catholic party.)

for the marriage between \_\_\_\_\_, a Catholic who is a  
*Name of the Catholic party*  
Parishioner at \_\_\_\_\_, and \_\_\_\_\_, a non-Catholic.  
*Name & city of the parish of domicile Name of the non-Catholic party*

The non-Catholic party is (*check one*):

- Baptized in the \_\_\_\_\_ Faith.  
*Denomination*
- Unbaptized.

The dispensation will enable the parties to enter into a valid and licit marriage, according to the laws of the Roman Catholic Church.

The marriage ceremony is scheduled to take place at \_\_\_\_\_,  
*(Name of the church, place of worship, or temple)*  
at \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_.  
*Name and Address Date Time*

I recommend the granting of this petition for the following reasons:

- The spiritual welfare of the faithful.
- The possibility of attempting an invalid marriage.
- The possibility of conversion of the non-Catholic party.
- To achieve family harmony or to avoid alienation.
- To recognize significant relationship to minister or church of the non-Catholic party.
- Other: \_\_\_\_\_.

\_\_\_\_\_  
Signature of Priest/Deacon/Delegate

\_\_\_\_\_  
Date

**PROMISE OF THE CATHOLIC PARTY**

*The Catholic party in a mixed marriage or a case of disparity of worship is required to make the following declaration in the presence of a Representative of the Catholic Church.*

I reaffirm my faith in Jesus Christ and, with God’s help, intend to continue living that faith in the Catholic Church. At the same time I acknowledge the respect I owe to the conscience of my partner in marriage. I promise to do all in my power to share the faith I have received with our children by having them baptized and raised as Catholics.

\_\_\_\_\_  
Signature of Catholic Party

\_\_\_\_\_  
Date

**ATTESTATION BY THE REPRESENTATIVE OF THE CATHOLIC CHURCH**

I certify by my signature that the Catholic Party has made the above declaration and promise with full knowledge of its intent and that the other party is aware of the promise obliging the Catholic Party.

\_\_\_\_\_  
Signature of Priest/Deacon/Delegate

\_\_\_\_\_  
Date

**For Office Use Only**

Dispensation No.: \_\_\_\_\_

The Catholic party named above is hereby granted:

- Dispensation from Canonical Form and Permission for a Marriage of Mixed Religion
- Dispensation from Canonical Form and Dispensation from the Impediment of Disparity of Worship
- Dispensation from the Impediment of Disparity of Worship
- Permission for a Marriage of Mixed Religion and *ad cautelam* a Dispensation from the Impediment of Disparity of Worship (doubtful baptism)

in order that the aforesaid marriage be contracted validly and licitly, according to the laws of the Roman Catholic Church.

Granted by:

Signature \_\_\_\_\_

Date \_\_\_\_\_

Printed Name \_\_\_\_\_

Title \_\_\_\_\_