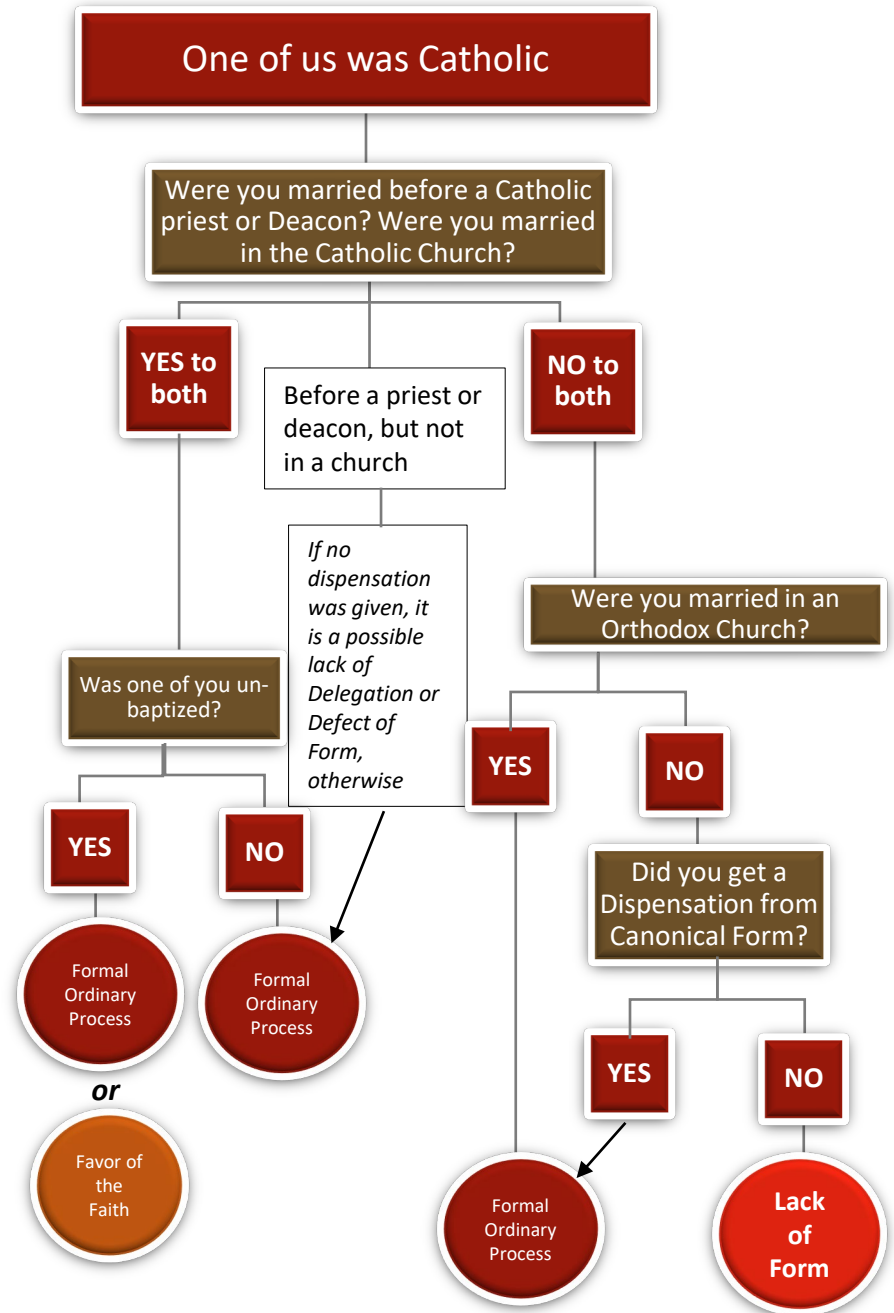
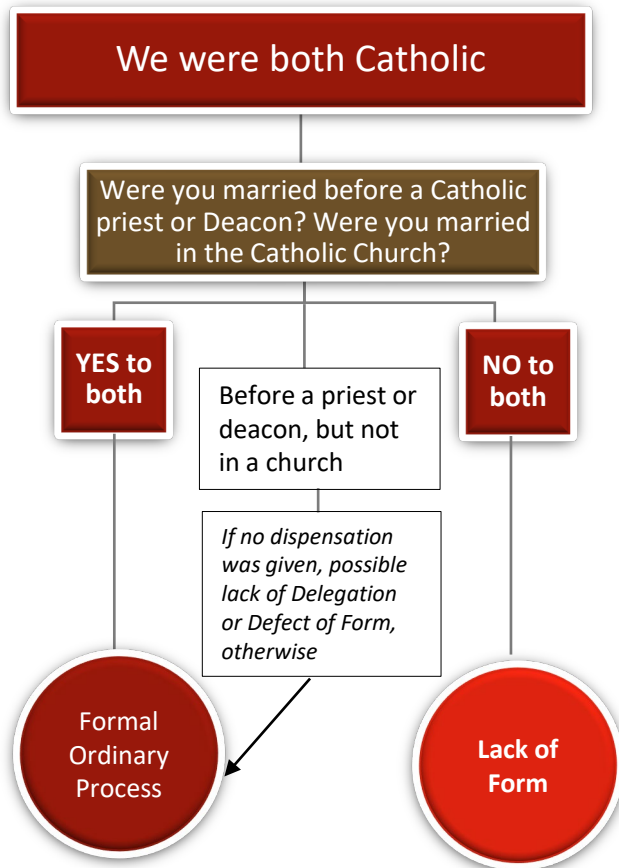


CASE TYPE – QUICK REFERENCE

The most important information to obtain when determining the possible case type is the **Baptismal status** of each party. That is the first step in finding the proper case type. This is a guide to help you, if you need further guidance, please call us at 303- 894-8994.



CASE TYPE – QUICK REFERENCE

Neither of us was Catholic

Briefer Process

Was your former spouse married before? Was that former spouse still living when you were married

YES to both

NO to both

Possible Ligamen, otherwise

Were either of you baptized?

Both baptized non-Catholics

One/both baptized Orthodox

Neither baptized

One unbaptized

Formal Ordinary Process

Were you married by an Orthodox priest?

Do you want to be baptized?

YES

NO

YES

NO

Formal Ordinary Process

Lack of Form

Pauline

or

Favor of the Faith

or

Formal Ordinary Process

Formal Ordinary Process

or

Favor of the Faith

or

Formal Ordinary Process

The Briefer Process is the Formal Ordinary Process that meets certain requirements. The Ponens for the Briefer Process is the Archbishop of Denver. The following are the requirements:

1. Petition is proposed by both spouses (they participate & agree on grounds of nullity)
2. The nullity is manifest (obvious)
3. If possible, the parish investigation should be provided.

Notes:

Lack of Form, Ligamen, Defect of Form and Lack of Delegation are documentary processes and require documentary proof, if documentary proof is not available, the Formal Process can be used.

Pauline and Favor of the Faith are processes of dissolution of marriage and not an investigation of nullity. We will investigate the sacramentality of the marriage, thus investigating the baptism of the parties. If non-baptism cannot be verified, the cases can be investigated using the formal process.

Favor of the Faith Case are required to go to Rome for approval, if grounds of nullity can be determined, it is possible to investigate the case locally in the Formal Process.

THE CANONICAL FORM *AD VALIDITATEM* FOR CATHOLICS

A valid Catholic marriage results from four elements:

- (1) the spouses are free to marry;
- (2) they freely exchange their consent;
- (3) in consenting to marry, they have the intention to marry for life, to be faithful to one another and be open to children; and
- (4) their consent is given in the **canonical form, i.e., in the presence of two witnesses and before a properly authorized church minister. Exceptions to the last requirement must be approved by church authority.**

NATURAL MARRIAGE

This occurs when neither party is baptized, or one party is baptized non-Catholic.



PRESUMED VALID – May be investigated as a FORMAL, Pauline or Favor of the Faith case.

LACK OF CANONICAL FORM or “LACK OF FORM”

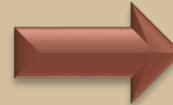
This occurs when **one or both parties is Catholic or Orthodox** and hence bound by the law of the Church - fails to ensure that the proper Catholic/Orthodox form for the marriage existed or was dispensed by just authority.



NOT VALID in the eyes of the Catholic Church.
Nullity can be declared via the documentary process. “Lack of Form”

SACRAMENTAL MARRIAGE

This occurs when **both parties are baptized. Parties may be Catholic or non-Catholic.**



PRESUMED VALID – This may be investigated as a FORMAL case.

Lack of Form Process (2 -3 weeks to approve)
A Requisite of the American Church