



Memo

Date: March 13, 2024

To: Priests, deacons and pastoral support staff

From: Fr. Paul Burke, J.C.L., adjutant judicial vicar, Metropolitan Tribunal

Re: Marriage forms and prenuptial files

In October 2023, new forms were released by the tribunal on its website under [Clergy Resources](#) for immediate use. A [memorandum](#) was also sent out to all clergy and support staff stating that from January 1, 2024, only the new forms would be accepted. The *only* exception to this was in the case of prenuptial forms completed *prior* to the release of the new forms.

Now that we are coming to the end of the first quarter of the year, I need to address some issues that we are experiencing here in the Tribunal with forms and prenuptial files.

Before addressing some of the issues that we are encountering in the Tribunal, I would like to remind you of a couple of things:

1. When a dispensation/permission is being requested for a wedding that is taking place in a parish of the Archdiocese of Atlanta, it is not necessary to send in the whole prenuptial file.
2. *Nihil Obstat* requests should be received by the Tribunal at least 60 days prior to the date of the proposed marriage. This is especially important for overseas marriages. FEDEX charges are considerable, especially if we have to use an expedited service.
3. When FEDEX must be used, perhaps the couple should be invited to pay for that service.
4. Prior to the release of the new forms (October 4, 2023), we had a test group of clergy and support staff to test the forms and give feedback to us. These “test” forms were just that, namely *tests*. These forms should

be destroyed. The final revision on the current form, under [Clergy Resources](#), is OCTOBER 4, 2023. Only this form should be used.

The Metropolitan Tribunal is here to serve you in your Ministry. If you are unsure or uncertain about anything, it is always best to call us for guidance. Please do not hesitate to contact us with any questions or concerns.

<https://archatl.com/offices/metropolitan-tribunal/> (404) 920-7500

Dispensations and Permissions

Issue

- Old forms continue to be submitted for dispensations and permissions.

Action Response

- Please destroy all old forms. The new forms (10-4-2023 is the date of the final version of all forms) are on the website <https://archatl.com/offices/metropolitan-tribunal/clergy-resources/>. Going forward, only the new forms will be accepted.

Issue

- Forms that are being submitted are missing information such as the wedding date, name of officiant, signatures, dates and seals.

Action Response

- Please ensure that all of the information that is required on the form is provided and is accurate. These are legal documents, so signatures and seals are important.

Issue

- There is an impression that the permission/dispensation must be granted before the date of the marriage or convalidation is set.

Action Response

- The date of the marriage or convalidation must be provided *before* the permission/dispensation is granted.

Issue

- Permission/dispensation requests, as well as prenuptial files requiring the *nihil obstat* are being submitted electronically. However, some are forgetting to submit the original documents to the Tribunal via mail or delivery.

Action Response

- You must submit *original* documents to the Tribunal.

Issue

- For convalidations, the date of the civil marriage is incorrectly being given as the *Date of the Proposed Marriage*.

Action Response

- The date of the proposed convalidation is the Date of Marriage required on the form.

NIHIL OBSTATS

Issue

- The Tribunal is receiving forms with missing information such as diocese/archdiocese where the file is to be transmitted, as well as the name of the celebrant.

Action Response

- Please make sure that all questions are answered on forms and that everything is complete and accurate.

Issue

- In some prenuptial files, only one affidavit for each party is included.

Action Response

- Two affidavits for each party must be included.

Issue

- There is no letter from the pastor granting the Catholic party permission to marry outside of the parish.

Action Responses

- Please ensure that the Pastor's letter (not the Parochial Vicar or Deacon) is included in the prenuptial file.
- There is a Document Checklist below and on the Form. Please use it.

DOCUMENT CHECKLIST

Please provide all of the following documents in either original or certified copy form.

- Dispensation or permission form (if applicable)
- Bride form
- Groom form
- Witness Affidavits (2) for bride
- Witness Affidavits (2) for groom
- Baptismal certificate(s) or profession of faith
- Permission from pastor to marry outside of parish
- Letter or certificate of completion of marriage program
- Civil marriage certificate (if applicable)

Baptism and profession of faith certificates must have been issued within six months and include all notations.

Do not include FOCCUS or any premarital test inventory results.

MARRIAGE LICENSES & CERTIFICATES

For marriages outside the United States, a civil marriage ceremony may need to be performed before the wedding in the Catholic Church. (If the couple is already in a civil union, they will just need to produce a copy of that certificate.) It is the responsibility of the couple to inquire as to the laws of the country they will be married in, so that the civil effects of their marriage are attained. Please contact the Tribunal for more information to assist couples with planning their wedding in a foreign country.

Radical Sanations

Issue

- Oftentimes, there is missing information on the form, such as biographical information and addresses.

Action Step

- Biographical information of the bride and groom is important and must be included. We need it for our records.

Issue

- The address of the bride and groom is often omitted.

Action Step

- Please ensure that addresses are provided. We need it to have proof in our records that they have domicile or quasi-domicile within our jurisdiction.

Issue

- Documents such as baptismal certificates and marriage certificates are not included.

Action Step

- All supporting documents must be submitted, recent baptismal certificate for the Catholic party, marriage certificate, etc.

Lack of Canonical Form Petitions

- Complete all the fields on the form. If something does not apply or is unknown, please enter N/A or unknown; do not leave it blank.
- The petition should be signed at the top by the petitioner. The initial of the Petitioner should be placed at the bottom of the petition next to the required documents.
- Original or certified copies of the original should be submitted.
- The baptismal certificate for the Catholic party should be issued within the last six (6) months.

- The baptismal status of the Respondent should be provided.
- The Respondent's address should be provided. If not available, it is essential to include documentation of their efforts in locating the Respondent, such as internet search printouts or notes from discussions with relatives, friends or coworkers. This ensures that every effort has been made to locate the Respondent, as they have the right to be informed of any action taken and to fulfill any natural obligations arising from the previous union, including child support or alimony payments (canon 1071, §1, 3).
- Please provide a list of the places where the Petitioner and Respondent lived together.
- Do not set a wedding date before the lack form has been processed.
- Do not submit a Lack of Canonical Form case and a Dispensation/Permission form together. These are separate issues.