

DIOCESE OF DALLAS

Types of Marriage Cases



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(Revised September 29, 2015)

Formal (Solemn) Case, utilizing either the Briefer Process or the Ordinary Process

Two Catholics married under the auspices of the Catholic Church.

A Catholic and a non-Catholic married under the auspices of the Catholic Church.

Two non-Catholics married legally (before a civil official or a licensed church officiant) and both free to marry (i.e., neither married before).

Absence of Canonical Form Case

Two people, at least one of whom is Catholic, not married under the auspices of the Catholic Church.

***Ligamen* (by Documentary Process) Case**

The Petitioner marries a Respondent who already has been presumably validly married. Therefore, the Respondent is bound by the previous marriage and is not free to marry the Petitioner.

Other Documentary Cases

Cases other than *Ligamen* such as those involving an undispensed impediment of disparity of worship when a baptized Catholic marries a non-baptized person, or Defect of Form, when a clergy officiates without appropriate delegation to do so.

Pauline Privilege

Both parties never baptized before or during the marriage. The Petitioner receives/desires to receive Christian baptism after the couple ceases to live together as husband and wife. The Petitioner wants to marry in the Catholic Church. The other party (the Respondent) has not, to this date, received Christian baptism and is not expressing an intention to do so. After the Diocese gives approval for the Petitioner to utilize the Pauline Privilege, when her/his marriage occurs in the Catholic Church, the previous union is dissolved in favor of the Catholic faith. This Privilege case is processed on the local level. It should be submitted to the Tribunal and a favorable reply received before Baptism and a new marriage are celebrated.

Petrine Privilege

One party never baptized before or during the marriage. The Petitioner wants to marry in the Catholic Church.

After the Holy Father gives approval for the Petitioner to utilize the Petrine Privilege, when her/his marriage occurs in the Catholic Church, the previous union is dissolved in favor of the Catholic faith. This case is processed in Rome. (It should be submitted to the Tribunal and a favorable reply received from Rome before a new marriage is celebrated.)