

INSTRUCTION ON USE OF THIS BOOK

Before the investigation the pastor should instruct the couple carefully on the nature of matrimony, its rights and duties, and the impediments that may hinder or invalidate it.

PART A

Re: TITLE TO MARRY.

Write in domicile of bride, quasi domicile of bride, month's residence of bride, or domicile of groom, quasi domicile of groom or month's residence of groom.

Domicile is residence in the parish with the intention of remaining there permanently or residence which has already lasted for ten years regardless of intention.

Quasi domicile is residence in the parish with the intention of remaining there for more than six months or residence which has already lasted for more than six months.

Month's residence is residence in the parish for one month by the calendar, e.g., if the party moved into the parish January 7 the month's residence is complete on February 7 and title to marry begins on February 8.

It is sufficient to have a title over one party whether it be the bride or the groom.

In mixed marriage if the non-Catholic party is not baptized, title must be established for the Catholic party. If the non-Catholic party is baptized both the pastor of the groom and the pastor of the bride have title to marry.

Re: RELIGION.

If the party was baptized Catholic but raised non-Catholic or is at present a non practicing Catholic or has apostatized from the faith without joining any heretical sect, apply for permission of Canon 1127, using the dispensation form.

Re: PROOF OF BAPTISM:

(1) For Catholics:

A. Catholic must produce a baptismal certificate that is less than 6 months old.

B. If the Catholic party is unable to produce baptismal certificate consult the Chancery and follow instructions.

(2) For Non-Catholics:

Non-Catholic party must produce a baptismal certificate or other proof of baptism.

PART B

Re: PROOF OF FREEDOM TO MARRY.

If one of the parties has been married before, even civilly, there are only two proofs of his or her present freedom to marry which can be accepted by the pastor: (1) the certificate of the death of the previous spouse; (2) a church decree issued by this or another diocese declaring that the party is now free to marry. A civil divorce or annulment is not sufficient.

Re: CONSANGUINITY OR AFFINITY.

A. If the groom is the uncle, nephew, or first cousin of the bride the impediment of consanguinity is present and a dispensation must be obtained. Brother and sister are never allowed to marry.

B. If the bride is the mother or daughter of the previous wife or vice versa if the groom is the father or son of the previous husband the impediment of affinity is present and a dispensation must be obtained.

Re: SPIRITUAL RELATIONSHIP.

If one of the parties is from an Eastern Catholic Church, the possibility of Spiritual Relationship must be investigated.

Re: OBJECTION OF PARENTS.

In the case of minors where the pastor feels any hesitation about witnessing the marriage of the parties, he should ask the parents of the minor to come in and question them according to the form in Part B.

Re: IMPEDIMENTS.

Impediments to which there is no reference in the questionnaire and which occur very rarely are the following:

(1) Age 16 for boys, 14 for girls.

(2) Impotency.

(3) Sacred Order, i.e., diaconate.

(4) Solemn vows in any religious order.

(5) Kidnapping with the intention of marriage.

(6) Crime.

Re: MARRIAGE LICENSE.

Check on whether the party has been married or not. In revalidations it is not always possible to obtain a copy of the civil license and therefore this information will not be available. In that case mark "revalidation."

Re: DELEGATION:

If a priest or deacon other than the pastor or associate witnesses the marriage within that parish he needs for validity delegation from the pastor or associate.