

Diocese of San Bernardino
Office of Canonical Services

**A Petition for a Declaration of Ecclesiastical Invalidity based on the existence of a
Prior Valid Bond of Marriage (Ligamen)**

Canon 1085: “A person bound by the bond of a prior marriage, even if it was not consummated, invalidly attempts marriage. Even if the prior marriage is invalid or dissolved for any reason, it is not on that account permitted to contract another before the nullity or dissolution of the prior marriage is established legitimately and certainly.”

Introduction

If a wedding takes place between two people, either of whom is bound by a **prior valid marriage**, the wedding is invalid under the law of the Catholic Church. A civil divorce, dissolution or civil annulment does not terminate the prior valid marriage bond. In this Petition, the Petitioner is seeking a Declaration by the Catholic Church his/her particular marriage to the Respondent was invalid because the wedding took place at a time when one of the parties was still subject to a valid bond of marriage. If that prior marriage has been or will be declared invalid, for any reason, by a competent Church authority, this Petition does not apply.

A standard example of the factual scenario for a Prior Bond/Ligamen case is: The Petitioner, John, asks that his marriage to Mary, the Respondent, be declared invalid because, at the time of that marriage, Mary was validly bound by a marriage vow to a former spouse, Bob (Co-Respondent).

The following documents must accompany this Petition:

- A copy of the **civil marriage license/certificate** for any marriage that is a subject of investigation in this Petition. In the above example, a copy of the civil marriage licenses for Mary and Bob, and Mary and John. Each state or nation will have a different form. We are looking for the form that provides statistical information, in particular which marriage this was for each party, 1st, 2nd, etc. It should also contain the name of the minister or official who performed the ceremony as well as his or her title. If the state or nation of the wedding does not have such a form, the Petitioner or Advocate should explain that fact.
- A copy of the **Final Divorce Decree of Judgment of Dissolution, Divorce or Nullity** issued by the civil court terminating the civil aspect of the marriage. Each state or nation will have a different form. We are looking for the form that specifies the date on which the marriage was terminated by the civil authority. The copy must bear a stamp or imprint showing the Final Decree or Judgment has been entered by the court. (We do not want marital settlement agreements or copies of court orders regarding property). If the state or nation of the wedding does not have such a form, the Petitioner or Advocate should explain that fact.
- A copy of the Catholic party's **baptismal certificate issued by the parish or baptism within the six months** prior to the filing of the petition.

Case Name: _____

Protocol No.: _____

LIGAMEN PETITION

PETITIONER

Name (maiden)

Address

City State Zip Code

Phone number email

Wedding date to Respondent

City State

How many times was the petitioner previously
married? _____

Name of former spouse(s)

Address

City/State/Zip

Phone email

Religion

RESPONDENT

Name (maiden)

Address

City State Zip Code

Phone number email

Decree of Dissolution date of Judgment granted

State and County of Final divorce

How many times was the respondent previously
married? _____

Name of former spouse(s)

Address

City/State/Zip

Phone email

Religion

CO-RESPONDENT

Name of Previous spouse in question

Address of Previous spouse

City/State/Zip

Phone email

Wedding date of prior marriage

Name of Church or Courthouse

Name of the Official who presided the wedding

Religion/Baptism date

Background information on Petitioner:

1. I was baptized at? _____

*Name of Church**Date*

*City/State**Denomination*
2. I was admitted into the Catholic Church by Profession of Faith (if applicable) at?

*Name of Church, City/State**Date*
3. Was your marriage to the Respondent convalidated ("Blessed") in a Catholic Church (if applicable):

*Name of Church, City/State**Date*

Background information on Respondent:

4. Was the Respondent baptized? If so, when and in what denomination?

*Name of Church/Denomination**Date of baptism*
5. The Respondent was admitted into the Catholic Church by Profession of Faith (if applicable) at?

*Name of Church, City/State**Date*
6. At the time of our marriage, the Respondent's former spouse was still living? _____
7. At the **present time**, is the Respondent's former spouse is still living? _____
I know this because? _____

Contemplated Marriage:

(Please provide the following information about the person with whom the Petitioner wishes to enter or convalidate marriage in the Catholic Church).

Name of my intended spouse (maiden name)

Address

City/State/Zip

Phone

email

8. Was my intended spouse previously married? _____

9. If so, please provide the name of the former spouse:

Full name of former spouse

Date of marriage

Address

Official/Judge

City/State/Zip

Phone

email

By this Petition I am requesting that the marriage to the respondent described herein be declared invalid due to the existence of a prior marital bond – Ligamen at the time of the wedding.

Signature of the Petitioner

Signature of the Advocate

Date

Advocate's Name –Please print

SEAL

Parish

Address

City/State/Zip

Phone

email

(The advocate should outline any particular circumstances which should be known to the Office of Canonical Services. A separate Petition is required for each marriage for which the Petitioner seeks a Declaration of Ecclesiastical Invalidity regardless of whether the Petition is for a Formal case, a Defect of Form, a Prior Bond (Ligamen), or some other impediment).

When submitting the case, the following documents MUST accompany this petition.

1. Marriage license for the Petitioner/Respondent, as well as Co-Respondent and their prior marriage.
2. Final Divorce Decree for the Petitioner/Respondent, as well as Co-Respondent and their prior divorce.
3. A copy of the Catholic party's baptismal certificate issued within the last six months.