



Diocese of Bismarck
Office of the Chancery

Instructions and Checklist for Pre-Nuptial Forms

This document does not have to be submitted to the Office of the Chancery.
It is simply to assist you in completing the pre-nuptial forms.

Preliminary Cautions

Please call the Office of the Chancery as soon as possible in the following circumstance:

- There is a signed civil Pre-Nuptial Agreement, or the couple is considering signing one. A copy of the Agreement must be submitted to the Office of the Chancery for prior approval.

Please call the Office of the Tribunal as soon as possible in the following circumstance:

- If any party has any prior attempt at marriage which has not been dissolved through death, or for which a Document of Freedom to Marry (Bismarck) or a Decree of Nullity (other Tribunals) has not been issued.

Each and every pre-nuptial file, after being carefully completed, is to be submitted in a timely manner to the Office of the Chancery for a *nihil obstat*. This new policy allows for no exceptions.

Necessary Documents

Main Forms:

- **Form A** is used for every case.
 - N.B: delegation must be given by the pastor of the parish of ceremony (or by the local ordinary in an emergency) to the intended celebrant in the following circumstances: a) whenever the priest is not assigned to that parish, and b) whenever and always for a deacon.
- **Form B** is required if one or more of the following circumstances apply to this marriage:
 - The groom or bride is not baptized Catholic or has not been received into the full communion of the Catholic Church.
 - The groom or bride is not baptized at all.
 - The groom or bride was baptized Catholic but is not currently practicing the Catholic Faith.
 - The groom or bride was baptized Catholic but now considers him/herself to be a member of a Protestant church.
 - The wedding will be held in a location other than a Catholic church.
 - There is an impediment to the marriage which must be dispensed, or a necessary permission.
 - Any relaxation of requirements is necessary, including a pre-nuptial agreement approved by the Bishop.
- **Form C** is required if the groom or bride has been previously married.
- **Form D** is required if the preparer cannot personally vouch for the groom or bride's freedom to marry.
- **Form D** is required if there is a doubt about the baptismal status of the groom or bride, and the testimony of a canonical eyewitness is necessary.
- **Form E** is always required in every case where the marriage information is to be conveyed to the church of baptism of the Catholic groom and/or bride.

See back for additional instructions

Other Forms:

_____ Groom's Baptismal Certificate.* If Catholic, include notations (i.e., Confirmation, Marriages, etc.).
Should be issued within 9 months or first contact for marriage preparation. If there is no record,
then canonical eyewitness via Form D.

_____ Bride's Baptismal Certificate.* If Catholic, include notations (i.e., Confirmation, Marriages, etc.).
Should be issued within 9 months or first contact for marriage preparation. If there is no record,
then canonical eyewitness via Form D.

** Even if baptismal certificate is from the same parish where the wedding is to be held, please submit it.*

Ancillary Documents:

_____ Certificate of Completion for Pre-Marriage Weekend (*required*).

_____ Certificate of Completion for NFP Course (*required*).

_____ Form D -- Canonical Witness Affidavit (*required when preparer cannot vouch for a party's freedom to marry or to gain canonical proof of baptism via eye-witness of ceremony*).

_____ Copy of Certificate of Civil Marriage (*required for convalidation*).

_____ Prior Letter(s) from Bishop indicating relaxation of requirements (*required regarding inventory, pre-marriage weekend, natural family planning course, 9-month timespan of preparation, and allowance of pre-nuptial agreement*).

Previous Marriage(s) of Groom and Bride:

_____ Documentary Proof of Death (*required for each previous marriage dissolved through death; e.g. Death Certificate, print of obituary, etc*)

_____ Document of Freedom to Marry (*required for each previous attempt at marriage of bride and/or groom not dissolved through death - a Decree of Nullity can suffice from Tribunals other than Bismarck*)

Required Signatures

_____ Groom - Form A, page 2

_____ Preparer - Form B

_____ Bride - Form A, page 3

_____ Catholic Party - Form B

_____ Preparer - Form A, page 4

Pertinent North Dakota Marriage Law

Age of the Parties: A man and a woman must be 18 years of age to marry without the consent of parents. If either applicant for a marriage license is under the age of 18, written consent of a custodial parent of the minor applicant, or other person who has legal and actual custody of the minor, such as guardian, is required. This written statement of consent must be sworn before a notary public. A minor below the age of 16 may not marry in North Dakota.

Witnesses: There must be two witnesses. While North Dakota Law does not state the age, the Diocese of Bismarck requires witnesses to be at least 18 years old.

Divorce: The interval between a divorce and subsequent marriage is subject to the discretion of the court as it appears in the divorce decree.

Relationship: Parties to the marriage may not be more closely related than second cousins.