



# Checklist and Instructions for Pre-Nuptial Questionnaire

Diocese of Bismarck  
Office of Canonical Affairs

This form does not have to be submitted to the Office of Canonical Affairs and Tribunal. It is for your use in completing the paperwork.

## Preliminary Cautions

Please **call** the Office of Canonical Affairs as soon as possible and prior to submitting the Pre-Nuptial forms in the following circumstances:

- There is a signed Pre-Nuptial Agreement, or the couple is considering signing one. A copy of the Agreement must be submitted to the Office of Canonical Affairs for prior approval.
- If at least one party has a prior attempt at marriage which has not been dissolved through death, and a Document of Freedom to Marry has not been issued.

Please **submit** the Pre-Nuptial forms to the Office of Canonical Affairs in any of the following circumstances:

- One party is not Catholic.
- The wedding will not be held in the Diocese of Bismarck.
- Both parties are Catholic, yet both are domiciled outside the Diocese of Bismarck.
- Where permissions or dispensations are required (cf. Form B).

## Necessary Documents

### Main Forms:

- **Form A** is to be used for all marriages prepared in the Diocese of Bismarck involving at least one Catholic who is domiciled here. This form is to be submitted to the Office of Canonical Affairs and Tribunal when:
  - Only one party is Catholic.
  - When the Catholic party is non-practicing.
  - When one or both parties have a prior attempt at marriage.
- **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 non-Catholic church.
  - There is an impediment to the marriage which must be dispensed.
- **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 used to send the marriage information to the church of baptism of the Catholic groom and/or bride.

**Other Forms:**

\_\_\_\_\_ Groom’s Baptismal Certificate.\* If Catholic, include notations (i.e., Confirmation, Marriages, etc.). Should be issued within 6 months of 1st 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 6 months of 1st 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 Attendance at Pre-Marriage Weekend *(required)*.

\_\_\_\_\_ Canonical Witness Affidavit *(required if preparer cannot vouch for a party's freedom to marry or there is uncertainty regarding a party’s baptismal status)*. See Form D.

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

**Previous Marriage(s) of Groom and Bride:**

\_\_\_\_\_ Copy of Marriage certificate *(required for each previous marriage)*

\_\_\_\_\_ Copy of Death certificate *(required for each previous marriage which was dissolved through death)*

\_\_\_\_\_ Copy of Divorce decree *(required for each previous marriage of bride and/or groom which resulted in civil divorce)*

\_\_\_\_\_ Document of Freedom to Marry from Tribunal Office *(required for each previous attempt at marriage of bride and/or groom)*

**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.