Yellow Form Instructions

Purpose of the Yellow Form

The Yellow Form petition serves to establish, after the relevant documents and declarations have been collected, that when a Catholic attempted marriage without observing canonical form, or when an Orthodox Christian attempted marriage without observing the sacred rite required by his or her Church, the marital consent manifested before a civil official or another person had no canonical effects.

In the Latin Church, to which the Archdiocese of San Francisco belongs, the canonical form ordinarily consists of the presence of the local ordinary, pastor, or a priest or deacon delegated by either of them, who assists the couple in contracting marriage before two witnesses (cf. canon 1108).[1] For the Eastern Catholic Churches, canon 828 § 1 of the Code of Canons of the Eastern Churches provides: "Only those marriages are valid that are celebrated with a sacred rite, in the presence of the local hierarch, local pastor, or a priest who has been given the faculty of blessing the marriage be either of them, and at least two witnesses…"

Certain Orthodox Churches have a similar requirement. For example, couples belonging to the Greek Orthodox Archdiocese of America or the American Carpatho-Russian Orthodox Diocese of North America must generally observe the sacred rite prescribed by their respective Orthodox Churches in order to contract a sacramentally valid marriage.[2] The Catholic Church recognizes the requirement of a sacred rite when an Orthodox Church requires it for couples belonging to that Church to contract marriage validly (cf. Instruction *Dignitas connubii*, art. 4 § 1, 2°).

However, as is the case in the Latin Church, in particular circumstances an exception may apply or a dispensation may have been granted, thereby rendering a marriage valid notwithstanding the failure to observe the form ordinarily required (cf. canons 144, 1112 § 1, 1116, and 1127 §§ 1–2 of the 1983 Code of Canon Law). Accordingly, on the basis of the relevant documents and statements gathered, the Yellow Form petition serves to rule out any applicable exception or dispensation that might have rendered the marriage valid and, consequently, to establish that the marital consent exchanged produced no canonical effects.

A Written Formal Act of Defection from the Catholic Church

A written formal act of defection from the Catholic Church does not refer to a baptized Catholic who began practicing another religion, decided to join another religion, was baptized in a non-Catholic ecclesial community, privately decided to abandon the Catholic Church, or told family and friends that he or she no longer considered himself or herself Catholic.

A written formal act refers to an act by which the Catholic party wrote to his or her proper pastor or ordinary requesting his or her formal defection from the Catholic Church. The requirements for such a written formal act of defection were explained by the Pontifical Council for Legislative

[1] Canon 1 of the 1983 Code of Canon Law states: "The canons of this Code regard only the Latin Church."

[2] Cf. Greek Orthodox Archdiocese of America, "Instructions for Weddings, Divorces, Baptisms, Funerals and Memorials," accessed September 8, 2026; American Carpatho-Russian Orthodox Diocese of North America, "Sacramental Guidelines," accessed September 8, 2026.

Texts in its communication *Actus formalis defectionis ab Ecclesia catholica*, dated March 13, 2006.

The existence of such a written act does not, by itself, establish that the person was exempt from the requirement of canonical form for marriage. Its canonical effect depends upon the date of the act, its reception, its content, and the evidence concerning its manifestation. Therefore, the Tribunal must evaluate each situation on a case-by-case basis.

Catholics who validly defected from the Church by a written formal act between November 27, 1983, when the 1983 Code of Canon Law entered into force, and April 8, 2010, the day before the amendments to canon 1117 introduced by Benedict XVI's motu proprio *Omnium in mentem* entered into force, and who also celebrated marriage during that same period after such defection, were not bound to observe canonical form under the provisions of canon 1117 then in force. Although *Omnium in mentem* did not eliminate the legal possibility for Catholics to defect from the Church, it eliminated the exemption from the obligation to observe canonical form previously granted to those who had formally defected.

Suggestions for Clarifying or Rewording Certain Questions for a Catholic Petitioner

After asking, "Was a dispensation from canonical form granted for this marriage?", you may ask:

"Did a bishop or another Catholic Church official with authority to do so give you written permission to marry only civilly or only according to the rites of the church or ecclesial community in which you celebrated the marriage?"

After asking, "Was this marriage ever convalidated without a ceremony?", you may ask:

"Were either of you ever instructed by a Catholic priest or other Church official simply to renew your marital consent, without celebrating another wedding ceremony, in order to make your marriage valid in the Catholic Church? If so, do you know why only a renewal of marital consent was required?"

After asking, "Was this marriage ever convalidated by a radical sanation?, you may ask:

"Did a bishop or the Holy See ever send you a letter or decree stating that this marriage was being made valid in the Catholic Church without requiring you to renew your marital consent?"

After asking, "Did you abandon the Church by a written formal act?", you may ask:

"Did you ever write to a pastor, bishop, or another official of the Catholic Church stating your decision to cease being a member of the Catholic Church or requesting that you no longer be considered a member of it?"

After requesting a copy of the marriage license or certificate signed by the officiant of the attempted marriage, you may explain that this document allows our Tribunal to identify precisely, by date, place, and officiant, the attempted marriage determined to lack canonical effects. In the case of a civilly recognized marriage, it also helps the Tribunal verify the existence of any previous marriages recognized under civil law. A copy of the civil decree of dissolution also helps verify whether there were any children of that union.