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Anchorage, AK 99501-2409
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ARCHDIOCESAN TRIBUNAL

PETITION FOR A CHURCH DECLARATION OF NULLITY

Use with the Tribunal Brochure “Declaring A Marriage Null”

Dear Petitioner:

Due to the recent Apostolic Letter, *Motu Proprio* of Pope Francis, which took effect December 8, 2015, the procedure for processing formal marriage cases has changed. One significant change is that some cases presented to the marriage tribunal may qualify for a “briefer process.” A “briefer process” may be used when the grounds for a decree of nullity are evident and both parties consent to the petition. If your former spouse would like to join you in this petition, please have them answer the questions and sign this document on the last page or submit a separate petition form. You are not required to contact your former spouse directly, yet if you believe they will consent to this petition, please explain and the tribunal will contact them. Otherwise, the tribunal will continue with the general process for declaring a marriage null described in the “nullity booklet.”

In this Petition Form you will find an outline of information needed by the Tribunal of the Archdiocese of Anchorage to begin the process of reviewing a marriage for a possible declaration of nullity. Please note the following instructions:

1. Complete every question. Make sure facts and dates are as accurate as possible. Throughout this form the **PETITIONER is you**. The section entitled **SECOND PETITIONER OR RESPONDENT** is for information regarding **your former spouse**.
2. In order to proceed with your case, copies of your civil marriage certificates and civil divorce should accompany this application. Please **do not** submit any information to our office until your civil divorce is granted. All Petitions must be submitted with the necessary documentation.
3. **All** former marriages must be considered. Therefore, if you have been married more than once, a separate application form must be submitted for **each** previous marriage. (This would not be necessary if your former spouse(s) is/are deceased.)
4. It is necessary that you provide a current address for your former spouse if at all possible. Church law requires us to contact your former spouse and offer him/her a chance to participate in the review process.
5. In preparing your statement, please be aware that the Tribunal keeps all information received in this investigation as confidential as possible within the confines of Church law. But understand that this law allows that both parties at least be made aware of the general allegations put forth by the other in reference to the marriage. This information is communicated at the discretion of the judge.
6. In submitting this application, keep in mind that there are **no civil effects** to a Church declaration of nullity. This process pertains to Church matters only. Thus children born of the former marriage remain fully legitimate under both civil and Church law.
7. Provisions of Church law, which must be observed, govern this judicial process. With the changes determined by the *Motu Proprio* the average time for a decision should be approximately 9-12 months from the time the Petition is received and accepted by the Tribunal office.

If you have any questions, do not hesitate to ask your parish priest, deacon, or parish administrator. You may also call the Tribunal at the number listed above. Please mail or deliver this completed petition and the required documents (see page 7) to the address above.

Yours in Christ,

THE TRIBUNAL STAFF

PLEASE TYPE OR PRINT CLEARLY.

PETITIONER (YOUR INFORMATION)

Mr. Mrs. Ms. Miss (circle one)

Name: _____
First Middle Last (Current) Maiden name, if applicable

Address: _____
Mailing City State Zip

Phone: _____
Home Work Cellular

Private E-mail: _____

Date of birth: _____
City State

Date of Baptism: _____
Church of Baptism City State

Denomination: _____ Religion (at time of marriage): _____

Present Parish (if Catholic): _____

If you have changed religion, when did this occur: _____

SECOND PETITIONER (FOR BRIEFER PROCESS ONLY) **OR RESPONDENT**

(YOUR EX-SPOUSE'S INFORMATION - SOME TYPE OF CONTACT INFORMATION IS ABSOLUTELY NECESSARY)

Mr. Mrs. Ms. Miss (circle one)

Name: _____
First Middle Last (Current) Maiden name, if applicable

Address: _____
Mailing City State Zip

Phone: _____
Home Work Cellular

Private E-mail: _____

Date of birth: _____
City State

Date of Baptism: _____
Church of Baptism City State

Denomination: _____ Religion (at time of marriage): _____

Present Parish (if Catholic): _____

If he/she has changed religion, when did this occur: _____

HAVE YOU APPROACHED ANY PRIEST, DEACON OR PARISH DIRECTOR FOR HELP?

YES **NO** **IF YES, WHO?**

Name: _____ Parish: _____

Phone: _____ E-mail: _____

MARRIAGE

Wedding: _____
Date Name of church or other location

Officiant City State

If either party was Catholic, did this marriage take place outside the Catholic Church? Yes No

If so, was there a Catholic Ceremony later? Yes No _____
Date

Officiant Church City State

CHILDREN BORN OR ADOPTED IN THIS MARRIAGE

Number: _____
How many? Birthdates

DIVORCE OR DISSOLUTION

Civil Judgment: _____
Date Name of Court State

Grounds cited in civil divorce: _____

IN THE SPACE PROVIDED IN THIS BOOKLET **BRIEFLY** ANSWER EACH OF THE QUESTIONS ON PAGES 3-7.
THE INFORMATION YOU PROVIDE **HERE** IS USED FOR THE INITIAL EVALUATION OF YOUR CASE.
YOUR INTERVIEW AT THE TRIBUNAL **LATER** WILL PROVIDE AN OPPORTUNITY FOR YOU TO GIVE MORE DETAILS.

INTRODUCTORY QUESTIONS

1. Was this your first marriage (whether in church, civilly, or by common law)? Please list any other marriages and/or any plans to marry, including wedding date and religion of each spouse.
2. Was this your spouse's first marriage (whether in church, civilly, or by common law)? If not, please list your former spouse's marriages prior to the marriage in question, including wedding dates and religion of each former spouse.
3. After reviewing the booklet you received (entitled "Declaring a Marriage Null"), which of the examples for nullity do you see as applying to your case? Or any other grounds, not listed? Explain why you chose these grounds.

FACTS

1. Dates and time spans:
 - a. When did the two of you first meet? (approximate date)
 - b. How soon after meeting did you begin to date?
 - c. How long did you date before the engagement? (years & months)
 - d. How long were you engaged before the wedding? (years & months)

2. Characteristics of the Courtship and Engagement:
 - a. Describe any problems during the courtship and engagement such as instability, arguing, breakups, drug/alcohol abuse, or premarital pregnancy, etc.

 - b. Describe any psychological or emotional problems.

 - c. Describe any indications that you, or your ex-spouse, might be unfaithful after the wedding.

 - d. As you look back, describe any circumstances under which either, or both, of you would have considered divorce. (For example: infidelity, impotence, lack of security, etc.)

- e. Describe any conditions either of you might have required to get married or to stay in marriage. (For example: "I'll marry you only if ..." or "I'll stay with you only if ...")

- f. Describe the attitude each of you had toward having children in the marriage.

3. Wedding: Ages on day of the wedding: Petitioner:_____ Respondent_____

4. Describe anything unusual or abnormal that happened shortly before or on the wedding day, or during the ceremony, reception, or honeymoon.

5. Marriage:

- a. When did problems begin in the marriage?

- b. What were the problems and what caused them?

6. Separation:

- a. Explain any separations before the final one (with appropriate dates). Why did you get back together each time?

- b. When (month and year) and why did the final separation occur?

7. Counseling:

If there were any attempts at marital or psychological counseling, please give the **names and addresses** of the counselors or therapists. The opinions and observations of counselors may be helpful in our deliberations. If so, you will be asked to sign a release for these records.

8. Conclusion:

Due to the recent Apostolic Letter *Motu Proprio* of Pope Francis, *Mitis Iudex*, which took effect on December 8, 2015, the following questions may assist in determining if your Petition would qualify for a briefer process.

- a. Are all moral and civil obligations, including child support, being met by both of you? If not, describe briefly.

- b. Did you tell your former spouse about your plan to ask for this Church process? If so, how did he/she react?

- c. If he/she did not object, do you believe your former spouse would consent to this decree of nullity? If so, do you believe he/she would consider taking part as a Second Petitioner?

WITNESSES

Please list a **minimum of three witnesses** whom you feel would have valuable information about your courtship and marriage and are willing to share that information with the Tribunal. Please contact each person you name and inform them that they will be contacted by the Tribunal by mail; however, do not tell them how to respond to the questionnaire. For each witness, indicate whether they are a relative, friend, or acquaintance of the petitioner or respondent. Note: If there are not at least three witnesses who can speak to the marriage in question, witnesses who can testify as to your honesty and good character may be submitted.

Mr. Mrs. Ms. Miss (circle one)

1. _____
Name

_____ Mailing Address

_____ City _____ State / Zip

Relationship: _____

Character Witness ONLY: YES NO

Mr. Mrs. Ms. Miss (circle one)

3. _____
Name

_____ Mailing Address

_____ City _____ State / Zip

Relationship: _____

Character Witness ONLY: YES NO

Mr. Mrs. Ms. Miss (circle one)

2. _____
Name

_____ Mailing Address

_____ City _____ State / Zip

Relationship: _____

Character Witness ONLY: YES NO

Mr. Mrs. Ms. Miss (circle one)

4. _____
Name

_____ Mailing Address

_____ City _____ State / Zip

Relationship: _____

Character Witness ONLY: YES NO

OTHER EVIDENCE

Include with this Petition any other pertinent evidence to support your case. These could include letters, police reports, videotapes of the wedding day, or any other documents.

COPIES OF THE CIVIL MARRIAGE LICENSE, FINAL DIVORCE DECREE, AND NEWLY ISSUED BAPTISMAL CERTIFICATE MUST ACCOMPANY THIS APPLICATION.

SPECIAL REQUESTS OR INSTRUCTIONS

Are there any considerations that you would like the Tribunal to take into account as this process is begun? (For example: confidentiality of present address, special appointment times, need for translators, etc.)

PLEASE READ THE FOLLOWING PETITION CAREFULLY AND COMPLETELY.
BY SIGNING THIS DOCUMENT YOU ARE CONSENTING TO ALL ITS CONTENTS.
WHEN THIS PETITION, AND ALL ACCOMPANYING DOCUMENTS, ARE ACCEPTED
BY THE ARCHDIOCESAN TRIBUNAL, THE PROCESSING OF YOUR CASE CAN BEGIN.

FORMAL PETITION

After careful thought and reflection, and after reviewing the materials provided to me, I believe that the marriage identified and described in this petition is null insofar as the Catholic Church understands marriage. I, therefore, petition the Tribunal of the Archdiocese of Anchorage to declare the nullity of that marriage.

I contend that the marriage is null as a result of a defect of consent of either of the parties of this marriage. In support of this Petition I offer the testimony that I will give, as well as that of witnesses I have named in this Petition and other relevant evidence that may come to light.

The addresses of both parties to the challenged marriage are given in this Petition.

By virtue of my signature affixed below:

1. I agree to whomsoever the Tribunal may appoint as my Procurator and authorize him/her to do all that is necessary in my interest.
2. I understand that my former spouse may be made aware of the general content of my Petition, and that my former spouse will also be allowed to exercise the right provided in Church Law to review all the testimony presented if he/she chooses to do so.
3. I understand that professional counseling or special instructions may be mandated before permission to remarry will be granted. I further understand that all financial obligations imposed on me by the civil courts toward my former spouse and children, if any, must be current before I can remarry.
4. **I understand that I may not set a date for any future marriage** until, and only if, a declaration of nullity, without restriction, is given. I understand that no priest, deacon, or parish director may provide me with even a tentative date for a future wedding in the Catholic Church until this process has been completed. I understand that marriage preparation for a wedding **should not be initiated** until this process is complete.
5. I understand that whether I do, or do not, make a contribution to assist with the expense of processing my marriage nullity case, it will not affect the outcome of the case.

I testify that I am presenting this case in good faith and I am fully committed to this process. The statements in this application are true and complete. I agree to cooperate fully with the Tribunal and to be bound by the policies established by that Office in accordance with the law of the Church.

Date: _____ Signature of the Petitioner: _____

Date: _____ Signature of the Second Petitioner: _____
(Briefer Process Only)



OFFICE OF THE TRIBUNAL
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Addendum to Petition

In the following space provided, please explain briefly the reasons for the breakdown of this marriage.

Please be aware, this paragraph will be included as part of your testimony and it will be shared with your former spouse (Respondent) when you both are notified that the case has been accepted.