



**DIOCESE OF JUNEAU, ALASKA**  
**OFFICE OF THE TRIBUNAL**

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## **PETITION FOR A CANONICAL DECLARATION OF THE NULLITY OF A MARRIAGE**

Dear Petitioner:

Thank you for asking our Tribunal to consider the possibility of declaring the nullity of your former marriage. We know that parts of this process can be difficult, and hope to do everything possible to support you as you pursue it. This form is the means by which we are asking you to provide the initial, general information that the Tribunal will use to decide whether to proceed with the case. Once the case has been accepted for consideration, we will be asking you for more detailed information on the basis of which the Tribunal will make its final decision. This can be done either in writing, or through oral interviews with our staff. We will also ask for information about your former marriage from the witnesses whom you propose, and for any documents that might shed light on the circumstances of your marriage.

If both you and your former spouse are petitioning for this declaration of the nullity of your former marriage, then you will both be referred to as “Petitioners” in the course of the case. If you alone are submitting this petition, then you will be referred to as the “Petitioner” and your former spouse will be referred to as the “Respondent.” If you are both Petitioners, then you can use a single copy of the form to begin your case, or you can each use a separate copy. If your former spouse will be a Respondent, then we will ask him or her to provide the same kind of information that you are providing with this form. In completing this form, please follow these instructions:

1. Please answer every question as completely and accurately as possible.
2. Please include with this form copies of your civil marriage certificate, the decree of dissolution or divorce, and, if you are Catholic, a newly issued baptismal certificate.
3. Please be sure to identify ALL previous marriages that you and your former spouse have ever entered, whether common law, civil, or religious, and whether the parties to the marriage were Catholic or not. Generally, separate requests must be submitted for declarations of the nullity of all such marriages.
4. Please be sure to provide current addresses for both yourself and your former spouse. We generally may not accept a case without this information. Even if your former spouse is not a Petitioner with you in this case, we must still offer him or her the opportunity to participate in the process.
5. In preparing this form, please keep in mind that the Tribunal keeps all information received in this case highly confidential, but that your former spouse will generally be entitled to review the information you provide.
6. In the United States, a canonical declaration of the nullity of a marriage has no effects under civil or secular law. It does not affect the terms of the divorce or dissolution or of decrees on such matters as financial support and child custody. The children born of the former marriage remain fully legitimate under both civil and Church law.

If you have any questions as you complete this form, please be sure to contact your Parish staff, your advocate, if you have one, or us here at the Tribunal. We are here to help you!

Please Type or Print Clearly

1st 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:

2nd Petitioner 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 parish official for assistance in this application? [ ] 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 Judgement: \_\_\_\_\_  
Date court State

Grounds cited in civil judgement: \_\_\_\_\_

**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, 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. Conclusion:

- a. Are all moral and civil obligations, including child support, being met by both of you? If not, describe briefly.
  
  
  
  
  
  
  
  
  
  
- b. If your former spouse is a Respondent, rather than a 2<sup>nd</sup> Petitioner, in this case did you tell your former spouse about your plan to ask for this Church process? If so, how did he/she react?

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**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.

## Witnesses

Please list any 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. You should propose at least one witness who can testify as to your honesty and good character.

For each witness, indicate whether a relative (i.e. mother, brother, sister-in-law), friend, or acquaintance of the petitioner or respondent.

<p>Mr. Mrs. Ms. Miss (circle one)</p> <p>1. _____ Name</p> <p>_____ Mailing Address</p> <p>_____ City State / Zip</p> <p>_____ Relationship to Petitioner / Respondent</p> <p>Mr. Mrs. Ms. Miss (circle one)</p> <p>3. _____ Name</p> <p>_____ Mailing Address</p> <p>_____ City State / Zip</p> <p>_____ Relationship to Petitioner / Respondent</p>	<p>Mr. Mrs. Ms. Miss (circle one)</p> <p>2. _____ Name</p> <p>_____ Mailing Address</p> <p>_____ City State / Zip</p> <p>_____ Relationship to Petitioner / Respondent</p> <p>Mr. Mrs. Ms. Miss (circle one)</p> <p>4. _____ Name</p> <p>_____ Mailing Address</p> <p>_____ City State / Zip</p> <p>_____ Relationship to Petitioner / Respondent</p>
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## Other Evidence

Include with your application any other pertinent evidence to support your petition. These should 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.**

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## 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 DIOCESAN 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 my marriage to \_\_\_\_\_ (the Respondent) is null insofar as the Catholic Church understands marriage. I, therefore, petition the Tribunal of the Diocese of Juneau to declare the nullity of that marriage.

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

The addresses of both parties to the challenged marriage are given on this application.

By virtue of my signature affixed below:

1. I agree to whomsoever the Tribunal may appoint as my Advocate or 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 application, 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.

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 1<sup>st</sup> Petitioner: \_\_\_\_\_

Date: \_\_\_\_\_ Signature of the 2<sup>nd</sup> Petitioner: \_\_\_\_\_