

**TRIBUNAL
DIOCESE OF FARGO**

5201 Bishops Boulevard, Suite A
Fargo, North Dakota 58104-7605
auditor@fargodiocese.org
Phone: 701.356.7940
Fax: 701.356.7995

Petition for a Church Declaration of Invalidity (Prior Bond Case)

If your former spouse was married to another person before he/she married you and that marriage was never found to be invalid by the Church, he/she was not free to marry you. If this can be demonstrated by answering the following questions in this section and providing documents to prove the previous marriage, your marriage would be invalid by virtue of the previous bond.

Enclosed, you will find an outline of information needed by the Tribunal of the Diocese of Fargo to begin the process of reviewing a marriage for a possible declaration of invalidity as a prior bond case. Please note the following instructions:

1. Complete every question. Make sure facts and dates are as accurate as possible. Throughout this form **you are the PETITIONER**. The section entitled **RESPONDENT** is for information regarding **your former spouse**. The section entitled **CO-RESPONDENTS** is for information about the **previous spouse(s)** of the Respondent.
2. In order to process your case **the following documents must be included**, recently issued **baptismal certificates** for you and the Respondent (*these can be obtained through the church of baptism*), a **marriage license or certificate** and a civil **divorce decree** (*must be the judgment declaring the date of the divorce*) should accompany this application. The **Marriage certificate of Respondent and previous spouse(s), and divorce decree(s) from those marriage(s)**.
3. Please **do not** submit any information to our office until your civil divorce is granted. All applications submitted without necessary documentation will be returned.
4. **All** former marriages must be considered. Therefore, if you have been married more than once, a separate petition must be submitted for **each** previous marriage. (This would not be necessary if your former spouse(s) is/are deceased. Simply include a **death certificate** with this application)
5. Church law requires us to contact your former spouse and offer him/her a chance to participate in the review process. **It is necessary that you provide a current address for your former spouse**. If the former spouse truly cannot be located, please include the form entitled "*Attempts to Locate Respondent*" at www.fargodiocese.org/annulmentforms.
6. In the United States there are **no civil effects** to a Church declaration. This process pertains to Church matters only.
7. Provisions of Canon (Church) Law, which must be observed, govern this judicial process. As the Tribunal is a Mandated Reporter by North Dakota State child abuse reporting laws, in some limited circumstances testimony may be reported to civil authorities.
8. **NO FUTURE WEDDING DATE, NOT EVEN A TENTATIVE ONE, MAY BE SET IN THE CATHOLIC CHURCH BEFORE YOU RECEIVE A DECLARATION OF FREEDOM TO MARRY FROM THE TRIBUNAL**

If you have any questions, do not hesitate to ask your parish priest, deacon, or field advocate. You may also call the Tribunal at the number listed above. Please mail this completed petition to us at the address above. We strongly urge you to make a photocopy for your records and to insure that nothing is lost in the mail..

I. BASIC INFORMATION PLEASE TYPE OR PRINT CLEARLY

PETITIONER (YOUR INFORMATION)		RESPONDENT (YOUR EX-SPOUSE'S INFORMATION)
	Last (Current) Name	
	Maiden name, <i>if applicable</i>	
	First	
	Middle	
	Street Address*	
	City	
	State/ Zip	
	Home Phone	
	Work Phone	
	Private E-mail	
	Occupation:	
	Employer	
	Date of Birth	
	City of Birth	
	State of Birth	
	Date of Baptism	
	Church of Baptism	
	City & State of Baptism	
	Religion (at time of marriage)	
	Present Parish	
	If religion has changed, when did this occur?	
	Father's Name	
	Father's Religion	
	Father's Street Address	
	Father's City, State/ Zip	
	Father's Phone	
	Mother's Name	
	Mother's Religion	
	Mother's Street Address	
	Mother's City, State/ Zip	
	Mother's Phone	

*If you are unable to find the Respondent's address, please complete the form entitled "Attempts to Locate Respondent" at <http://www.fargodiocese.org/annulmentforms>.

INFORMATION ABOUT THE CO-RESPONDENT (PREVIOUS SPOUSE OF YOUR FORMER SPOUSE)			
Current Last Name			
Maiden name, if applicable			
First			
Middle			
Street Address			
City			
State/ Zip			
Home Phone			
Work Phone			
Occupation			
Employer			
Private E-mail			
MARRIAGE OF RESPONDENT AND CO-RESPONDENT			
Wedding Date			
Name and address of Church, Court or other location			
Officiant			
If either party was Catholic, did this marriage take place outside the Catholic Church?		Yes	No
If yes, was there a Catholic Ceremony later?	Date of Catholic Ceremony	Name and address of Church	Officiant
Was a dispensation from canonical form granted (<i>permission from the Bishop to have a marriage outside the Catholic Church</i>)		Diocese Granting	Address of Parish of Preparation
Civil Dissolution	Date	County	State
MARRIAGE OF PETITIONER AND RESPONDENT			
Wedding Date			
Name and address of Church, Court or other location			
If either party was Catholic, did this marriage take place outside the Catholic Church?		Yes	No
Civil Dissolution	Date	County	State
Are you fulfilling your natural obligations to the children and the other party arising from this or other previous unions? If no, please explain on back of page.		Yes	No

Is the respondent fulfilling his or her natural obligations to the children and the other party arising from this or other previous unions? <i>If no, please explain on back of page.</i>				Yes		No		
Grounds cited in civil divorce								
OTHER MARRIAGES OF THE PETITIONER								
SPOUSE OF FIRST MARRIAGE			SPOUSE OF SECOND MARRIAGE			SPOUSE OF THIRD MARRIAGE		
First name			First name			First name		
Last name			Last name			Last name		
Maiden Name			Maiden Name			Maiden Name		
Date and place of marriage			Date and place of marriage			Date and place of marriage		
Address of place of marriage			Address of place of marriage			Address of place of marriage		
His/her religion at time of wedding			His/her religion at time of wedding			His/her religion at time of wedding		
Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce	Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce	Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce
Divorce Court City, County State			Divorce Court City, County State			Divorce Court City, County State		
Was this spouse married before marrying you?			Was this spouse married before marrying you?			Was this spouse married before marrying you?		
Date of Catholic Annulment (if applicable)			Date of Catholic Annulment (if applicable)			Date of Catholic Annulment (if applicable)		
Diocese of Annulment			Diocese of Annulment			Diocese of Annulment		
Date of Death (if applicable)			Date of Death (if applicable)			Date of Death (if applicable)		
INTENDED SPOUSE OF PETITIONER								
First Name								
Middle Name								
Present Last Name								
Maiden Name, if applicable								
Present marital status of intended spouse (i.e., Single, Widowed, Divorced, Married (civilly) to Petitioner)								
Religion of Intended Spouse								
Has your intended spouse ever been divorced?								
If the intended spouse is seeking an annulment or has obtained one, with which diocese is he/she working?								

OTHER MARRIAGES OF THE RESPONDENT								
SPOUSE OF FIRST MARRIAGE			SPOUSE OF SECOND MARRIAGE			SPOUSE OF THIRD MARRIAGE		
First name			First name			First name		
Last name			Last name			Last name		
Maiden Name			Maiden Name			Maiden Name		
Date and place of marriage			Date and place of marriage			Date and place of marriage		
Address of place of marriage			Address of place of marriage			Address of place of marriage		
His/her religion at time of wedding			His/her religion at time of wedding			His/her religion at time of wedding		
Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce	Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce	Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce
Divorce Court City, County State			Divorce Court City, County State			Divorce Court City, County State		
Date of Catholic Annulment (if applicable)			Date of Catholic Annulment (if applicable)			Date of Catholic Annulment (if applicable)		
Diocese granting annulment			Diocese granting annulment			Diocese granting annulment		
Date of Death (if applicable)			Date of Death (if applicable)			Date of Death (if applicable)		

ARE THE FOLLOWING DOCUMENTS OR THEIR COPIES ATTACHED TO THIS APPLICATION?

For the Catholic parties the certificates must be recently issued. Contact the parish of baptism and request that they send the baptismal certificate along with the notations directly to the Tribunal. If either party was first baptized in a non-Catholic Church and later joined the Catholic Church by making a Profession of Faith, please have the parish in which the Profession was made send a certificate to the Tribunal. Baptismal certificates are not required for non-Catholic parties.

DOCUMENTS NEEDED (Please check yes if attached)	Yes	No
! Baptismal Certificate or Profession of Faith for the Petitioner		
! Baptismal Certificate or Profession of Faith for the Respondent		
! Marriage License or Certificate of your marriage with Respondent		
! Marriage License or Certificate of Respondent's marriage with Co-Respondent		
! Divorce Decree of you and Respondent <i>(the decree must include the date of divorce)</i>		
! Divorce Decree of Respondent and Co-Respondent		
! Prenuptial Agreement		
Please explain why any of the above documents have not been included:		
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.)		

Who We Are, What We Do

The Marriage Tribunal exists to investigate the question of the freedom to marry in the Catholic Church. Most people come to the Tribunal to petition for a declaration of nullity, commonly referred to as an annulment. A declaration of nullity is a statement confirming that, at the time of the marriage ceremony, some essential element was missing which prevented the formation of a binding marital union as recognized by the Catholic Church.

To make this determination the Marriage Tribunal considers the intentions of the parties at the time of the marriage, their attitudes toward marriage, and personality factors which could affect either party's ability to form a stable and permanent relationship. The decision of the Marriage Tribunal has no civil effects in the United States, nor does it have any effect on the civil divorce proceedings or settlement. The granting of a declaration of nullity does not affect the legitimacy of any children who may have been born of the union.

All, whether baptized or not, can bring a marriage case before a Church Court. There are three levels of Church courts regulated by canon law: the first is at the diocesan level, the Marriage Tribunal; the second is regional and is called the Appellate Tribunal; and the third is the Roman Rota. Various officials serve at the Marriage Tribunal. The Judicial Vicar oversees the work of the Marriage Tribunal. The Defender of the Bond argues to uphold the bond of the marriage in question. Advocates represent the views of the parties, and act on their behalf.

Fees

The Catholic Church is committed to helping people find healing and reconciliation following a divorce; hence, even though it costs the Diocese of Fargo an average of \$1900 per case, ***we charge nothing***. Instead, we appeal to the generosity of people like you, who have participated in the annulment process to do what you can to offset the costs through a voluntary tax deductible donation after the process concludes. Please prayerfully consider donating half the cost (\$950) to the *Catholic Development Foundation—Tribunal*. Of course, you are free to give more or less as you are able. Judges do not interact with money, and donations have absolutely no effect on the decision of the Court.

PETITION
For a Prior Bond Case

After careful thought and reflection, and after reviewing the materials provided to me, I believe that my marriage to _____(the Respondent) is invalid according to the Catholic Church’s understanding of marriage. I, therefore, petition the Tribunal of the Diocese of Fargo to declare the invalidity of that marriage.

I contend that the marriage is invalid as a result of a previous and binding marriage. 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.

By virtue of my signature affixed below:

- I agree to whomsoever the Tribunal may appoint as my Procurator-Advocate and authorize him/her to do all that is necessary in my interest.
- I understand that my former spouse may be made aware of the general content of my application and that my former spouse may also be allowed to exercise the right, provided in Church law, to review my testimony.
- 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.
- I understand that I may not set a date for any future marriage in the Church until I have receive a declaration of freedom to marry.** I understand that I will have to fulfill any requirements and restrictions placed on me as a result of this study before permission to remarry can be received. **I understand that no priest, deacon, or parish minister may provide me with even a tentative date for a future wedding in the Catholic Church until this process has been completed.**

I swear and affirm that 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
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The parish priest, deacon or field advocate is to sign this document. **We remind the official that no date for a future wedding in the Catholic Church, not even a tentative date, is to be set** without a declaration of invalidity and declaration of freedom to marry.

Signature of priest, deacon, or field advocate

Name (*typed or printed*) of priest, deacon or field advocate

Sponsoring Parish

Address

City State/zip

Phone

E-mail