



**ARCHDIOCESE OF MOBILE
THE METROPOLITAN TRIBUNAL**

14 South Franklin Street
Mobile, Alabama 36602
(251) 432-4609

**FORMAL PETITION:
TO INVESTIGATE MARRIAGE NULLITY**

Your Information

Petitioner's Current Legal Name	
Petitioner's Address	Petitioner's Phone Number Petitioner's Email Address
Petitioner's Date of Birth	What was your maiden name?
Petitioner's Religious Status (Check all that apply) <input type="checkbox"/> I was baptized a Catholic. <input type="checkbox"/> I was baptized in a non-Catholic Christian Community. <input type="checkbox"/> I became Catholic after being baptized in a non-Catholic Christian Community. <input type="checkbox"/> I am becoming Catholic (RCIA). <input type="checkbox"/> I have never been baptized. <input type="checkbox"/> I am from an Eastern Church (Byzantine, Syro-Melibar, Maronite, etc). <input type="checkbox"/> I am a member of an Orthodox Church (Russian Orthodox, Coptic, Greek Orthodox, etc). <input type="checkbox"/> Non-Religious Person (We will need a copy of your baptismal certificate)	
Are you Currently Married? If so, how long have you been in this relationship?	Were you married prior to marrying the respondent?
Have you contacted the respondent (your former spouse) and told them that you are pursuing this process? How did they respond? Do you think they would be willing to participate?	
Are you in regular contact with the respondent?	

Respondent's (Your Former Spouse) Information

Respondent's Current Legal Name	
Respondent's Address	Respondent's Phone Number Respondent's Email Address
Respondent's Date of Birth	What was the Respondent's maiden name?
Respondent's Religious Status (Check all that apply) <input type="checkbox"/> He/She was baptized a Catholic. <input type="checkbox"/> He/She was baptized in a non-Catholic Christian Community. <input type="checkbox"/> He/She became Catholic after being baptized in a non-Catholic Christian Community. <input type="checkbox"/> He/She is becoming Catholic (RCIA). <input type="checkbox"/> He/She has never been baptized. <input type="checkbox"/> He/She is from an Eastern Church (Byzantine, Syro-Melibar, Maronite, etc). <input type="checkbox"/> He/She is a member of an Orthodox Church (Russian Orthodox, Coptic, Greek Orthodox, etc). <input type="checkbox"/> Non-Religious Person	
Is the Respondent Currently Married?	Was the Respondent married prior to marrying you?
Do you understand that the Tribunal has to give everyone an opportunity to present their evidence and both you and your former spouse will have an opportunity to view any evidence at some point? <div style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>	

Marital Information

How and when did you and your former spouse meet?	
How long did you date? When did you get engaged?	
Were any of these issues for you while you were <u>dating</u> : <input type="checkbox"/> Alcohol Abuse <input type="checkbox"/> Drug Use <input type="checkbox"/> Financial Problems <input type="checkbox"/> Family Pressure or Pressure from Friends <input type="checkbox"/> Abuse of any form <input type="checkbox"/> Infidelity <input type="checkbox"/> Psychological Issues <input type="checkbox"/> Medical Issues <input type="checkbox"/> Legal Problems	Were any of these issues for your former spouse while you were <u>dating</u> : <input type="checkbox"/> Alcohol Abuse <input type="checkbox"/> Drug Use <input type="checkbox"/> Financial Problems <input type="checkbox"/> Family Pressure or Pressure from Friends <input type="checkbox"/> Abuse of any form <input type="checkbox"/> Infidelity <input type="checkbox"/> Psychological Issues <input type="checkbox"/> Medical Issues <input type="checkbox"/> Legal Problems
If you checked any of the above issues, please give a short description here.	
Did you live together (cohabitate) prior to marriage? If so, how long?	Was there a pre-marital pregnancy? If so, what happened?

Marital Information

Date of Wedding	Place of Wedding
Petitioner's Age at the Time of the Wedding	Respondent's Age at the Time of the Wedding
Name of Minister or Official who presided at your wedding.	Did anyone have a problem with your marriage? <input type="checkbox"/> My Parents <input type="checkbox"/> The Respondent's Parents <input type="checkbox"/> Your Friends <input type="checkbox"/> The Respondent's Friends <input type="checkbox"/> A priest, minister, or counselor
If you were not "married in the Church," was your marriage convalidated or "blessed" in the Church at a later time? If so, what was the date and place of the convalidation?	

Regarding the Petitioner:	Regarding the Respondent:
<p style="text-align: center;"><u>At the time of the wedding:</u></p> Were you open to having children? <input type="checkbox"/> Yes <input type="checkbox"/> No Did you intend to be faithful until death? <input type="checkbox"/> Yes <input type="checkbox"/> No Did you intend to be faithful only to your spouse? <input type="checkbox"/> Yes <input type="checkbox"/> No Did you think that divorce was a reasonable way to deal with an unhappy marriage? <input type="checkbox"/> Yes <input type="checkbox"/> No Did you think that if you were unhappy in this marriage you could get divorced? <input type="checkbox"/> Yes <input type="checkbox"/> No Did you consider alternative options to marriage? <input type="checkbox"/> Yes <input type="checkbox"/> No	<p style="text-align: center;"><u>At the time of the wedding:</u></p> Was the respondent open to having children? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the respondent intend to be faithful until death? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the respondent intend to be faithful only to you? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the respondent think that divorce was a reasonable way to deal with an unhappy marriage? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the respondent think that if he or she were unhappy in this marriage you could get divorced? <input type="checkbox"/> Yes <input type="checkbox"/> No Did the respondent consider alternative options to marriage? <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>How long were you married to the respondent?</p>	<p>How many separations occurred? When did they occur?</p>
<p>How many children were born to the marriage? Please include dates of birth.</p>	<p>When did the final separation occur? What was “the final straw?”</p>
<p>What would you consider to be the fundamental issues as to why this marriage failed?</p>	
<p>Date of Divorce</p>	<p>Place of Divorce</p>
<p>Was the Divorce:</p> <p><input type="checkbox"/> No Fault</p> <p><input type="checkbox"/> Fault</p> <p><input type="checkbox"/> A Civil Annulment</p> <p>Are you currently involved in any civil litigation with your former spouse?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Who has custody of the Children?</p> <p><input type="checkbox"/> Me</p> <p><input type="checkbox"/> The Respondent</p> <p><input type="checkbox"/> Joint</p> <p><input type="checkbox"/> There were no children</p> <p><input type="checkbox"/> The children are adults</p> <p>Are all child support payments current?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>

Witness Information

Witness 1 (Required)

Name of the Witness	Relation to you?
Address of the Witness	
Phone Number for the Witness	Email Address for the Witness
Have you let this witness know that we will be contacting them? <input type="checkbox"/> Yes <input type="checkbox"/> No	
What kind of testimony do you expect this witness to offer? <input type="checkbox"/> Knowledge prior to the marriage <input type="checkbox"/> Knowledge during the marriage <input type="checkbox"/> Character information <input type="checkbox"/> Professional Counselor or Doctor	

Witness 2 (Required)

Name of the Witness	Relation to you?
Address of the Witness	
Phone Number for the Witness	Email Address for the Witness
Have you let this witness know that we will be contacting them? <input type="checkbox"/> Yes <input type="checkbox"/> No	
What kind of testimony do you expect this witness to offer? <input type="checkbox"/> Knowledge prior to the marriage <input type="checkbox"/> Knowledge during the marriage <input type="checkbox"/> Character information <input type="checkbox"/> Professional Counselor or Doctor	

Witness Information Continued

Witness 3

Name of the Witness	Relation to you?
Address of the Witness	
Phone Number for the Witness	Email Address for the Witness
Have you let this witness know that we will be contacting them? <input type="checkbox"/> Yes <input type="checkbox"/> No	
What kind of testimony do you expect this witness to offer? <input type="checkbox"/> Knowledge prior to the marriage <input type="checkbox"/> Knowledge during the marriage <input type="checkbox"/> Character information <input type="checkbox"/> Professional Counselor or Doctor	

Witness 4

Name of the Witness	
Address of the Witness	
Phone Number for the Witness	Email Address for the Witness
Have you let this witness know that we will be contacting them? <input type="checkbox"/> Yes <input type="checkbox"/> No	
What kind of testimony do you expect this witness to offer? <input type="checkbox"/> Knowledge prior to the marriage <input type="checkbox"/> Knowledge during the marriage <input type="checkbox"/> Character information <input type="checkbox"/> Professional Counselor or Doctor	

Description of Marital Dynamics

The Description of Marital Dynamics is a written document that you provide, detailing the story of your life, your relationship to the respondent, and your marriage. It is not a checklist or question and answer form. It is a chance to write your narrative as to what happened with this marriage, providing the judge with the most important information. It is a really good idea to ask your priest to read what you have written and ask for suggestions. Be sure to include the following details:

- Your background. (Family of origin, parents, siblings, religious upbringing, education, legal troubles, use of alcohol or drugs, mental issues, physical issues, history of dating).
- The respondent's background (Family of origin, parents, siblings, religious upbringing, education, legal troubles, use of alcohol or drugs, mental issues, physical issues, history of dating).
- The relationship between yourself and the respondent (How and when did you meet, what did you do, describe your dating relationship, personalities and conflicts).
- The time of engagement and preparation for marriage (how did you prepare for marriage, what kind of conversations did you have about getting married, was there an engagement, did your personalities or conflicts change at this time, did someone pressure you into marriage).
- A description of the marriage itself (What happened in this marriage, please provide a timeline of the marriage, what problems did your marriage encounter).

Your Checklist

- You completed this packet to the best of your ability.
- You have included the written document "Description of Marital Dynamics"
- You have included an authentic copy of the marriage license.
- You have included a copy of the divorce certificate.
- You have included a recent copy of your baptismal certificate.
- You have signed the last two pages.
- You have made a copy of everything and asked your priest or deacon to send it all in.

Petitioner's Statement

I, _____, Petitioner, designate the undersigned priest or deacon to represent me in these proceedings as Procurator, and I also authorize the Metropolitan Tribunal of the Archdiocese of Mobile to assign an Advocate to provide counsel and to act on my behalf throughout the course of this trial. I also hereby consent and authorize the Metropolitan Tribunal of the Archdiocese of Mobile to release the Description of Marital Dynamics (DMD) provided by me to Catholic Social Services of Mobile, should I choose that entity for counseling. I understand that no assurance of the *outcome* or the *time* it will take to complete the process can be given. I understand that I cannot set (even tentatively) a date for marriage or validation of marriage in the Catholic Church unless and until the nullity of my previous marriage(s) has/have been established with certainty according to the laws of the Church.

I understand that I am requested not to discuss the facts of my case with my witnesses. I understand that if there is a judgment granting a declaration of nullity, it may contain a clause delaying permission to remarry in the Catholic Church until counseling has been obtained for whatever problems were revealed.

I also appoint the procurator and/or case sponsor listed on the following page. I understand that the procurator is able to act on my behalf.

I swear to the truthfulness of the evidence I am submitting.

Signature of the Petitioner

Date

This Page Only: To Be Filled Out by the Procurator and Case Sponsor Only

I, the undersigned, do hereby accept the responsibility of acting as a procurator for the petitioner.

Signature of the Procurator

Date

Printed Name

Parish

Contact Phone Number

I, the undersigned, do hereby accept the responsibility of acting as a case sponsor for the petitioner.

Signature of the Case Sponsor

Date

Printed Name

Parish

Contact Phone Number

The Formal Petition
Page 1 of the Formal Petition

(Please have your pastor, parochial vicar, deacon, or case sponsor help you with this part)

Petitioner's Name	Respondent's Name
Petitioner's Date of Birth	Respondent's Date of Birth
Date of Marriage	Place of Marriage
Petitioner's Address	Respondent's Address

I, _____, I hereby request that the Metropolitan Tribunal of the Archdiocese of Mobile accept and adjudicate this Petition to determine whether under canon law that the marriage between the spouses named above was not valid and binding. In making this Petition, I contend that the marriage was not valid for the following reasons:

(Please use this space to give reasons why you think this marriage is not valid. You can ask your pastor or deacon to help you with this part.)

(The Procurator or Case Sponsor will help the petitioner select possible grounds)

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> C. 1095 1° - Lack of Reason <input type="checkbox"/> C. 1095 2° - Lack of Due Discretion <input type="checkbox"/> C. 1095 3° - Psychic Incapacity <input type="checkbox"/> C. 1096 - Ignorance <input type="checkbox"/> C. 1097 §1 – Error Concerning the Person <input type="checkbox"/> C. 1097 §1 – Error Concerning the Quality of Person <input type="checkbox"/> C. 1098 – Fraud, Deceit, Malice | <ul style="list-style-type: none"> <input type="checkbox"/> C. 1099 – Error <input type="checkbox"/> C. 1011 §1 – Simulation (Total) <input type="checkbox"/> C. 1011 §1 – Simulation (Against Children) <input type="checkbox"/> C. 1011 §1 – Simulation (Against Fidelity) <input type="checkbox"/> C. 1011 §1 – Simulation (Against Indissolubility) <input type="checkbox"/> C. 1012 – Future Condition <input type="checkbox"/> C. 1103 – Force or Grave Fear |
|---|---|

The Formal Petitioner
Page 2 of the Formal Petition

I intend to offer the following evidence to support my grounds: my written testimony (Description of Marital Dynamics), my oral testimony before the court, testimony to Court Experts, and witnesses.

The following persons are named as witnesses:

- | | |
|----|----|
| 1. | 4. |
| 2. | 5. |
| 3. | 6. |

I attest before God and my conscience that the above is true and complete to the best of my knowledge.

Signature of the Petitioner

Date

Notes for the Petitioner
(You do not need to turn this page in)

- There is no cost to you for filing for an annulment. Each parish is required to pay for the court cost.
- The Tribunal follows a legal process to determine truth. While there is a legal nature to what we do, the Tribunal is meant to be pastoral.
- Some of the information collected will be sensitive in nature. We consider all collected information confidential. We will do everything in our power to keep that information confidential. We also understand that some of the information you share may be difficult or reveal things about your past. No one in the Tribunal is looking to judge you personally. All of us are sinners in need of the Savior.
- If your paperwork is fully completed, all the documents are in order, and you schedule your day at the Tribunal when you receive your letter, there is no reason to think that this process should take longer than twelve months. Sometimes divorces and other legal processes take years, but it should not be that way with the Church. Our goal is to keep every case under twelve months.
- As a Tribunal we are bound to following the Law of the Church, which we are not able to change. Marriage enjoys the favor of law, which means that we must assume that a marriage is valid. In presenting a case before the Tribunal, you are claiming that the marriage you entered was invalid.
- A declaration of nullity or an annulment has no civil effects in the United States of America. Nor does it have anything to do with the legitimacy of children. As Catholics, we believe that every child is a gift from God.
- We understand that this process can be very difficult, but we are here to walk with you. You can reach out to us for questions about your case. Your priest or deacon is your best resource for understanding the process or if you have questions.

Your Rights

- You have a right to present a case before the Metropolitan Tribunal.
- You have a right to present your witnesses and evidence in the case.
- You have a right to legal representation if you should so choose. A person fulfilling this role must possess a doctorate in canon law or “truly be an expert” in matrimonial jurisprudence. Civil attorneys do not meet this definition.
- You have a right to inspect that acts of the case at the time of the publication of the acts.
- You have a right to appeal a definitive sentence within the times limits offered by the law.
- You have a right to expect confidentiality and professionalism from Tribunal personnel.
- You have a right to receive notification of all decrees in your case.
- You have a right to a fair and equitable process, while maintaining your good name.