

TRIBUNAL

Diocese of Bridgeport



ANNULMENT APPLICATION FORM

Tribunal of the Diocese of Bridgeport

The Catholic Center

238 Jewett Avenue

Bridgeport, CT 06606

203 - 416 - 1424

www.dob-tribunal.com

tribunal@diobpt.org

Dear Petitioner,

You are to be commended for taking this first step in clarifying your marital status in the Catholic Church. We hope that this process will be a time of healing and spiritual growth. The Church believes that marriage is indissoluble, and that it affects the family, society and the Church. The law of the Church states (Canon 1055): "The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life, is by its nature ordered toward the good of the spouses and the procreation and education of offspring." This teaching forms the basis of the Tribunal's investigation.

Regrettably, divorce is a reality of our times. Divorce is always difficult, both for the parties and for any children involved, and it can affect a person's standing regarding the sacramental life of the Church. Catholics and non-Catholics alike have the right to ask the officials of the Church to investigate the possibility of the nullity of their marriage.

The Tribunal is composed of specially trained clergy and lay persons appointed by the Bishop of the Diocese of Bridgeport who will make a determination regarding your marital status. A declaration of nullity may be granted only if it can be shown that at the time of the wedding, at least one of the parties lacked the necessary intention or lacked the requisite capacity to establish the matrimonial bond.

If nullity is declared, both parties would be free to attempt marriage again in the Catholic Church, if they choose to do so (barring any prohibitions or cautions, such as the need for counseling). A declaration of nullity does not deny that a real relationship existed, nor does it imply that the relationship was entered into with ill will or moral fault. This process does not seek to place blame or establish a guilty party: it is a search for the truth. It does not affect the legitimacy of any children of the marriage and has no consequences whatsoever in civil or secular law.

Please read the following instructions and forms carefully, as they will serve as a guide to help you better understand the annulment process and to complete the application. We look forward to assisting you.

Sincerely yours in Christ,



*Very Reverend Arthur Mollenhauer, J.C.L.
Judicial Vicar*

GUIDELINES FOR STARTING A MARRIAGE NULLITY CASE (ANNULMENT PROCESS)

WHERE TO BEGIN

Contact your local Catholic parish or the Catholic parish you regularly attend. A parish priest or deacon will provide assistance to you during the initial phase of the examination of the marriage in question. Should you be eligible to choose the *processus brevior*, the “shorter process” (see below), and if you meet all of its requirements, your local clergy or an Advocate will assist you in gathering evidence, which will need to be submitted with your application. Complete this form in its entirety, trying to provide an accurate picture of what occurred prior to and during the marriage. Once you have answered all the questions to the best of your ability, it is advisable to set them aside for a few days, so that if further additions come to mind, these may be added. The party presenting the application is called the Petitioner. The other party is called the Respondent.

You may also submit your application and other materials independently, without the assistance of parish personnel, except when the the shorter process is to be used (which always requires an Advocate).

The clergy or the Advocate may advise you in the choice of which process is appropriate in your case. The “shorter process” requires the documented consent of the Respondent. However, please keep in the mind that whether the ordinary process or the “shorter process” is used, no guarantees can be given about the time it will take to complete the case or its ultimate outcome.

Church law and justice requires that the Respondent be contacted and given the opportunity to participate in the process. The parties are never asked to appear in the Tribunal together, unless the “shorter process” is employed and the parties choose to appear together before the Tribunal and the bishop.

THE PRELIMINARY FORMS

The Formal Petition (“Libellus”): Through the Formal Petition, also known as a “*Libellus*,” you formally request the Tribunal of the Diocese of Bridgeport to examine the status of your marriage in light of the teachings and the laws of the Catholic Church.

Application for a Declaration of Nullity: This application is fundamentally an interview on paper. Your statement should present a comprehensive account of your background, your courtship, the marriage and the separation. It is the Petitioner’s responsibility to make every reasonable attempt to locate the present name and address of the Respondent and to submit both to the Tribunal.

Internet searches are helpful and background checks are available on-line for a fee (at your expense). If this information cannot be provided, documentation of the efforts that were made to locate the Respondent must be included in this application. The Tribunal will then determine if the case can proceed without the Respondent's current contact information. As a pastoral practice in the United States, the Tribunal will not accept a petition for nullity before a civil divorce decree has been issued, since it is regarded as proof that there is no hope of reconciliation between the parties.

REQUIRED DOCUMENTS:

The following documents must accompany your petition application. The unexplained absence of these documents will prevent the opening of the case.

1. A recent copy (issued within the last 6 months) of your **baptismal certificate** (if baptized);
2. **Marriage certificates** (Church **and/or** civil license);
3. Final **civil decree of divorce**;
4. Other pertinent documents or reports that may serve as evidence (e.g. medical or police reports, etc.).
5. Completed **Nullity Application Form** (this form)
6. **Marriage Narrative (typed, 2-3 pages)**

Be certain you (and your parish clergy or Advocate) have reviewed your application for content, and have signed it in all the applicable places. The application and supporting documents should then be mailed to the Tribunal. Keep a photocopy of the application and all documents you submit for your records.

Witness Testimony: Marriage takes place in the context of a community, and so other persons will be asked to provide the Tribunal with information from their vantage point (witness testimony). Witnesses will be contacted by us in writing and asked to complete a short questionnaire, and if necessary, we will follow up by a phone interview. In order to have a clear picture of both parties and of the marriage, please list persons who knew you and/or the Respondent **before** the marriage or early in the marriage, and who may have knowledge of family backgrounds, childhood or marital situations. Please make an effort to include at least 2 to 4 witnesses from your side and from the Respondent's side. Complete contact information of proposed witnesses is required. Names of the witnesses (but not other personal information) may be given to the Respondent. We ask that you **contact all persons prior to listing them as witnesses** to ensure that they are willing to cooperate. One of the biggest delays in nullity cases is caused by the failure of witnesses to respond. Ordinarily parents and siblings are good witnesses, but not all your witnesses should be your family members. In general, children of the union are not used as witnesses.

Counseling Reports/Experts: When either you or the Respondent have seen a counselor, psychologist or psychiatrist, prior to or during the marriage, the Tribunal may ask you to obtain a confidential summary from these individuals or institutions. You will be advised if this step is necessary. In addition, some expert opinions might be required by the Tribunal (e.g., from a medical doctor). Fees associated with these experts' opinions are the direct responsibility of the parties.

Tribunal fees: There is no cost to the parties. Formerly, petitioners who could afford it were asked to cover a portion of the costs as a matter of justice, but Pope Francis has asked for all judicial processes to be made free to the parties so that costs – and any misconceptions about costs – do not prevent any of the faithful from exercising their rights. Instead, the costs are borne by the diocese, which ultimately means by the other people in the pews. Of course, there are significant costs associated with a labor-intensive legal process like the marriage nullity process; Petitioners are therefore asked to remember that fact, to make responsible use of the Tribunal's resources, and to remain diligent in their support of the Church.

Review by the Judicial Vicar or Judge: Once your application is received and accepted by the Tribunal, the Judicial Vicar reviews the materials you have submitted, assigns the judge(s) to the case, determines possible grounds to be investigated, and what other information may be required.

The Citation: The Petitioner and the Respondent will be cited by letter of the Judicial Vicar. The Respondent is invited to participate in this process to the extent he/she wishes. The citation letters indicate your **Case Name and Case Number**. Please have this information available whenever you contact the Tribunal so that our staff can quickly locate your file and refer you to the proper case coordinator at the Tribunal.

The Grounds: The proposed canonical grounds are determined by the Tribunal using Catholic Church law (canon law). They do not pertain to civil (secular) law. The grounds must be some defect or incapacity regarding the matrimonial consent of one or both of the parties, or some canonical requirement or impediment which had not been properly dispensed for a Catholic spouse. Please note that the recent changes promulgated by Pope Francis do not introduce new grounds for nullity cases. Canons 1095 and ff. of the Code of Canon Law describe the available grounds.

The Decision Process: After the testimonies and other information is gathered, the case is reviewed by the Judge to determine if there is sufficient evidence to move the case forward. The parties will be notified by letter when the case is nearing conclusion and they will have a final opportunity to submit any additional information and to read the Acts of the Case [that is, all testimony pertinent to the grounds being considered].

This must be done within fifteen (15) business days of the date of that letter. The case is then reviewed by the Defender of the Bond who gives written comments supporting the matrimonial bond. Once these comments are received, the the entire case is reviewed by the Judge or Judges, and a decision is rendered. Both parties are then notified of the decision.

Appeals: The Petitioner, Respondent and Defender of the Bond each have the right to appeal the decision of the Court of First Instance to the Court of Second Instance. The parties may also appeal directly to the Roman Rota.

Restrictions/Vetitum/Monitum: If the Tribunal is concerned that the difficulties which contributed to the breakdown of a couple's interpersonal relationship remain unresolved, the Judge(s) may require specific action before another marriage in the Church can take place. If the Tribunal considers that these difficulties could impact a future relationship, a restriction [*vetitum*] or a warning [*monitum*] will be added to the declaration of nullity. This may apply to the Petitioner, the Respondent or both parties. **This is not intended as a punishment**, but rather a help to the party so that he/she does not end up in a similar situation in a new marriage. Those with a restriction may be required to undertake further counseling. A restriction must be lifted by the local Bishop or Judicial Vicar, before a priest/deacon can proceed with wedding plans.

Time Frame: Each nullity case has its own unique circumstances, and therefore a definite time frame cannot be guaranteed. The time involved is governed by requirements of canon law and by the cooperation of the parties and their witnesses. The Tribunal strives to complete each case in a timely manner and in accordance with canon law. It is extremely important that you notify the Tribunal of any changes of address for yourself and/or the Respondent, and also changes of addresses for the witnesses.

It is of utmost importance that you DO NOT schedule a wedding until the annulment process is finished and you receive an affirmative decision (that the nullity of marriage has been proven).

Status Inquiries: Because the time frame of the process cannot be guaranteed, status updates generally are not given. The Tribunal staff is available to answer your questions regarding your case or the process in general. For reasons of confidentiality the specifics of your case can be discussed only with you or the Respondent. You can contact the Tribunal by mail or e-mail (tribunal@diobpt.org) at any time, or by telephone (203-416-1424) Monday through Friday, 8:30 a.m. – 4:30 p.m. In July and August: *Fridays only*: 8:30 a.m. - 1:00 p.m.

Please fill out and submit ONLY the following pages:

PETITIONER INFORMATION (YOU)

First Name: Middle Name: Last Name:

Maiden Name (if a woman): Email: (for Tribunal use)

Current Home Address:

Preferred Phone No. (for Tribunal to call) Home Cell Work

Date of Birth: Place of Birth:

Number of Siblings: Your Place in the Birth Order:

Date of Baptism: (if applicable) Religion at Baptism: (if applicable)

Church of Baptism: (full address is req'd)

Religion at Wedding: Current Religion:

Your Primary Language: Education Level at Time of Wedding:

Occupation at the Time of Wedding:

Counting ALL religious and civil ceremonies: No. of Marriages Before This One: No. of Marriages After This One:

Are you Currently Engaged to be Married? YES NO

Are You Currently Enrolled in RCIA? YES NO

Is Your (Intended) Spouse Enrolled in RCIA? YES NO

Have you ever been diagnosed / treated by psychologist or psychiatrist? Please explain:

RESPONDENT INFORMATION (YOUR FORMER SPOUSE)

First Name: Middle Name: Last Name:

Maiden Name (if a woman): Email: (for Tribunal use)

Current Home Address:

Preferred Phone No. (for Tribunal to call) Home Cell Work

Date of Birth: Place of Birth:

Number of Siblings: Place in the Birth Order:

Date of Baptism: (if applicable) Religion at Baptism: (if applicable)

Church of Baptism: (full address is req'd)

Religion at Wedding: Current Religion:

His / Her Primary Language: Education Level at Time of Wedding:

Occupation at the Time of Wedding:

Counting ALL religious and civil ceremonies: No. of Marriages Before This One: No. of Marriages After This One:

Is s/he Currently Engaged to be Married? YES NO

Is s/he Currently Enrolled in RCIA? YES NO

Is his/her (Intended) Spouse Enrolled in RCIA? YES NO

Has s/he ever been diagnosed / treated by psychologist or psychiatrist? Please explain:

YOUR EFFORTS TO LOCATE THE RESPONDENT (fill out if you cannot locate the Respondent)

If you are unable to provide the Tribunal with a complete current address for the Respondent, please complete the questions below. In some cases, it may not be possible to accept the case without this information.

YOU MUST PROVIDE DOCUMENTATION FOR ALL SEARCHES AND INVESTIGATIONS ATTEMPTED.

Full name of the other spouse to the marriage in question:

Has this person ever been known by another name (a maiden name, an alias, a former name, etc.)? Full Name:

Last known address of the Respondent:

Last known phone No.

When was your last contact with Respondent?

Last known employer (name and address)

Please list in detail what efforts you have made to locate the Respondent's current address:

Cities/Towns for which you looked in telephone books (available at libraries) or called Directory Assistance:

Names and contact information for Attorneys, investigators and others you contacted for help:

Names and contact information for mutual friends, in-laws, former neighbors, co-workers, etc., you contacted:

On-line search engines & paid services you used to try to locate the Respondent (give web addresses, print and attach your results):

Other efforts you made, and when:

COURTSHIP, MARRIAGE AND FAMILY LIFE

When did you meet? When did you begin to date?

Your age at that time: Respondent's age at that time:

Date of engagement (MM/YYYY): Length of engagement (YY/MM):

Did you attend a marriage preparation program? YES: NO:

Did you have a **civil** wedding ceremony? YES: NO: Date:

Location of the civil ceremony:

Did you have a **religious** wedding ceremony? YES: NO: Date:

Your age at that time: Respondent's age at that time:

Name of the Church/Temple:

Address of the Church/Temple:

In what religion was the wedding celebrated? (Catholic, Jewish, etc.)

Did you live together before marriage? YES: NO: How long:

Was there a prenuptial agreement? YES: NO: **If "yes" please attach a copy**

Do you have children together? YES: NO: If "yes" please list:

1. Name: Year of Birth:

2. Name: Year of Birth:

3. Name: Year of Birth:

4. Name: Year of Birth:

5. Name: Year of Birth:

If applicable, who has the custody of the children:

Were there any children from a previous relationship? YES: NO:

Were there any miscarriages prior or during the marriage? YES: NO:

Were there any abortions prior or during the marriage? YES: NO:

Were there any separations during the marriage? YES: NO:

If "yes" how many: Date of FINAL SEPARATION:

Date of civil divorce: Court issuing divorce decree:

Have you approached any other Tribunal for annulment of this union? YES: NO:

If "yes" where and when:

If there are any unusual circumstances or problems in processing this petition or communicating with the Respondent, kindly describe them (i.e. imprisonment of a party, domestic violence, restraining order, etc.):

PREVIOUS AND SUBSEQUENT MARRIAGES (all civil and religious ceremonies)

PETITIONER

MARRIAGE 1

1. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 2

2. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 3

3. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 4

4. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 5

3. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

PREVIOUS AND SUBSEQUENT MARRIAGES (CIVIL AND RELIGIOUS)

RESPONDENT

MARRIAGE 1

1. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 2

2. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 3

3. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 4

4. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

MARRIAGE 5

3. To Whom: Prior to this union? Date:

Place of Ceremony:

How was Terminated: When:

Was it Annulled? Where and When:

WITNESS NAMES AND CONTACT INFORMATION**WITNESS 1:**

Full Name: Title: Relationship:

Address:

Phone: Email: Language:

WITNESS 2:

Full Name: Title: Relationship:

Address:

Phone: Email: Language:

WITNESS 3:

Full Name: Title: Relationship:

Address:

Phone: Email: Language:

WITNESS 4:

Full Name: Title: Relationship:

Address:

Phone: Email: Language:

WITNESS 5:

Full Name: Title: Relationship:

Address:

Phone: Email: Language:

WITNESS 6:

Full Name: Title: Relationship:

Address:

Phone: Email: Language:

PART II PREPARING THE PETITION, that is, the *LIBELLUS*

ATTITUDES TOWARDS MARRIAGE

The following statements are designed to help the Tribunal gain a better understanding of your and the Respondent's abilities, attitudes and beliefs at the time of your wedding. Please review each of the statements and check the boxes that apply to you and/or the Respondent. These items refer to PRINCIPAL or MAJOR traits that you and the Respondent brought into the marriage. In any given section, you may check one box, several boxes or no box. There are no "right" or "wrong" answers.

Section A: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		was not mature enough to understand what a commitment entailed;
		was trying to get away from something unpleasant in our lives
		believed we were committed to the marriage because of dating for so long
		had serious doubts about whether this was a good decision;
		did not realistically consider whether this was a good decision;
		had little or no dating experience;
		believed that because we were sexually active with each other, marriage was inevitable;
		ignored the significant opposition of family and/or friends;
		had no example of a stable marriage while growing up.

Section B: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		already had personal or family involvement with physical abuse, sexual abuse, alcohol or drug abuse;
		had received or needed to receive counseling for a serious psychological disorder;
		was unable to establish stability in a job, education, lifestyle or a relationship due to personality problems;
		had a history of violence or other antisocial behavior;
		could not accept personal responsibility for actions committed;
		already struggled with what would later be seen as an addiction (gambling, controlled substance, etc.);
		expressed, experienced or denied difficulties with sexual orientation.

Section C: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		did not want to be married to the other person but went through the ceremony for some personal reason;
		did not want to establish a marital partnership;
		other things were more important than the spouse, e.g.: (List):

Section C: At the time of our wedding, one or both of us:

		did not intend to assume any permanent responsibilities toward the other person;
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Section D: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		never intended to have children (although this may not have been discovered until after the wedding);
		would not have sexual relations unless birth control was used;
		intended to delay, limit or exclude children for some personal reason;
		never intended to take any responsibility for the upbringing of children.

Section E: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		believed that sexual infidelity was acceptable for a reason;
		believed that one could have sexual relations outside of the marriage;
		was sexually unfaithful shortly before or shortly after the wedding;
		believed that sexual relations outside marriage were acceptable as long as there was no emotional attachment;

Section E: At the time of our wedding, one or both of us:

		never intended to have an exclusive, faithful relationship
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Section F: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		was convinced that divorce was acceptable if the marriage would prove to be unsuccessful and unhappy.

Section G: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		intended to be married only if some condition or expectation would be fulfilled. Please specify the condition: (List)
		intended to be married only as long as there was no infidelity

Section H: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		believed that because of some external pressure or some other circumstance, marriage was the only option;
		believed that because of parental insistence to marry, marriage was the only alternative;
		wanted to back out of the ceremony but could not do so;
		was afraid NOT to get married, because of some external factor or pressure.

Section I: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		intended to marry only a person with a certain quality. Please name the quality: (List)
		mistakenly believed that the other party possessed the required quality;
		would not have married if the truth about the quality [its presence or absence] were known.

Section J: At the time of our wedding, one or both of us:

YOU	RESPONDENT	
		purposely deceived the other person about a significant fact that is important in marriage;
		deceived the other person into marrying;
		felt deceived into getting married;
		would not have married if the truth were known.

Section K: Grounds for Nullity. Why do you think this marriage was invalid from the very beginning?

PART III PETITIONER'S NARRATIVE (marriage history)**ALL APPLICATIONS. PLEASE READ THE FOLLOWING BEFORE CONTINUING**

All applications must include **a narrative** from the Petitioner (**typed, 2-3 pages**). This part of the application provides insight into you and the Respondent, the factors that may have influenced each of you in your decision to marry, and the marriage itself. Please respond to each of the following questions as they may apply to you and your marriage. There is no need to write a lengthy autobiography. A direct and focused response helps to avoid delays in the proceedings. Please use also your answers from the previous section and elaborate them here.

INFORMATION CONCERNING THE PARTIES BEFORE THE MARRIAGE:**FAMILY OF ORIGIN:**

1. Describe your parents' marital relationship (for example, the character of each parent and who was the dominant figure in the home).
2. Were there any particular issues concerning your parents and/or siblings that had a strong effect on you (for example: drinking, drug use, infidelity, separations and divorces, early death, mental illness or physical disability)? If so, please explain.
3. How did relationships and issues in the family affect you growing up (for example: your sense of responsibility, sensitivity to needs of others, temperament, anger management, jealousy, selfishness, judgment, etc.)?

YOURSELF:

4. Describe any significant events or issues related to your school life, religious upbringing, and friendships.
5. Describe previous significant relationships that may have affected your adult and married life (dating history, rebound, infidelity, premarital sex, abortions and miscarriages, etc.).
6. Describe the nature of your employment and/or professional career, and any significant events or issues.
7. Were there any struggles or difficulties you experienced before or during your marriage, with gambling, drugs, alcohol, pornography, etc.? Were there any addictions or legal issues? If so, please explain. How were these issues addressed?
8. Were there any physical and/or psychological issues that may have affected your relationships before or during your marriage? If so, please explain. Did you seek professional help? Please provide name and contact info, date(s) or length of treatments.

RESPONDENT:

9. Describe any significant events or issues related to the Respondent's family of origin, school life, religious upbringing, and friendships.
10. Describe previous significant relationships that may have affected the Respondent's adult and married life (dating history, rebound, infidelity, premarital sex, abortions and miscarriages, etc.).
11. Describe the nature of the Respondent's employment and/or professional career, and any significant events or issues.

12. Were there any struggles or difficulties the Respondent experienced before or during the marriage, with gambling, drugs, alcohol or pornography. Were there any addictions or legal issues? If so, please explain. How were these issues addressed?
13. Were there any physical and/or psychological issues that may have affected the Respondent's relationships before or during your marriage? If so, please explain. Did the Respondent seek professional help?

INFORMATION CONCERNING COURTSHIP:

14. Describe how you met and any significant events that occurred or issues that arose while you were dating. Were there any breakups or separations?
15. Was there unusual pressure to marry (a difficult home situation, premarital sex, pregnancy, immigration status, etc.), or were there any doubts or reservations that arose prior to the wedding? How was this resolved?
16. What was the reaction of family and friends while you were dating and during your engagement?
17. What kind of pre-marital instruction was received? (Pre-Cana, Engaged Encounter, etc.)

INFORMATION CONCERNING WEDDING:

18. Describe the attitude of you and the Respondent at the wedding and reception. Did any unusual events take place on your wedding day?
19. Describe your experience during the honeymoon, if applicable.

INFORMATION CONCERNING MARRIED LIFE:

20. What was the quality of your communication during the entire marriage?
21. Were there any instances of physical or emotional mistreatment/abuse? If so, please explain. When did problems arise and over what? (for example: family interference, physical or emotional mistreatment/abuse, addictions, infidelity, children, etc.)

INFORMATION CONCERNING PROFESSIONAL COUNSELING:

22. Did you and/or the Respondent seek marriage counseling? Please explain. Please provide the name of counselor(s), date(s) and/or length of treatments.

INFORMATION CONCERNING FINAL SEPARATION:

23. What was the cause of the final separation? Were there any earlier separations? If so, please explain.

Please attach the narrative to your application.

PART IV TRIBUNAL PRACTICES AND POLICIES AGREEMENT OF UNDERSTANDING

The primary purpose of the Tribunal is to gather and evaluate evidence in order to discover the truth regarding a marriage. Out of respect for the human dignity of persons and the sacred nature of marriage, the Tribunal is required to presume each marriage is valid, and that you and the Respondent both meant what you said and accomplished what you intended when you first exchanged vows, until it is proven otherwise. Declarations of nullity are not favors given to innocent or deserving parties. Judges must have moral certitude, based on the available evidence, that your union was missing one of the essential elements for marriage. In the absence of such certitude, the Judge(s) must rule in the negative – that is, nullity has not been proven. In presenting a petition for a declaration of nullity of your marriage, you are asking that your marital status be reviewed in the Catholic Church. The Tribunal is an ecclesiastical court of law, and its proceedings are exclusively religious in nature. These proceedings are governed solely by the laws of the Catholic Church. The following statements delineate Tribunal practices and policies, and by your initials you indicate your understanding and your agreement to abide by them.

**PLEASE INITIAL ALL TO CONFIRM YOUR UNDERSTANDING:
CONCERNING CONFIDENTIALITY**

_____ I understand that due to the sensitive nature of information gathered in this process, all the information gathered in the course of the investigation is considered confidential and the exclusive property of the person submitting the pertinent information and the Tribunal of the Diocese of Bridgeport.

_____ I understand that this information is only made available as required by Church Law, for inspection by the Petitioner, the Respondent, and the officers of this Court and the properly designated ecclesiastical Court of Appeals. This includes what is normally part of each case, namely, that I, as the Petitioner, will appear at the Tribunal and will give a statement (deposition) under oath, which will be recorded, transcribed, and added to the case.

_____ I understand that this information is never made available to the witnesses or anyone acting on their behalf.

_____ I understand that this information is never made available in any civil legal proceedings.

_____ I understand that in accord with applicable professional standards, reports from psychological counselors are always withheld from the Petitioner and the Respondent. For serious reasons (such as the avoidance of physical danger or public scandal), witnesses may ask that their testimony be withheld from the Petitioner and/or the Respondent. The decision whether to withhold any testimony, however, belongs solely to the ecclesiastical Judge acting in accord with the requirements of canon law.

CONCERNING THE RESPONDENT

_____ I realize that Church Law requires that the Respondent be contacted and offered the opportunity to testify.

_____ I agree to make every effort to locate the Respondent so that he/she can be contacted by the Tribunal to participate in the process.

_____ I understand that I am not required to have direct contact with the Respondent, unless I feel it is in my own best interests to contact him/her and encourage his/her response.

_____ I also understand that the Tribunal strongly encourages the Petitioner to inform the Respondent in advance of filing their petition (as experience shows they tend to be more cooperative).

CONCERNING THE WITNESSES

_____ I understand that witnesses are necessary to process my petition for a declaration of marriage nullity.

_____ I agree to make every effort to encourage their cooperation, but understand that I am in no way to assist or influence them in preparing their testimony.

CONCERNING THE DEVELOPMENT OF THE TRIAL AND PLANS FOR A FUTURE MARRIAGE

_____ I understand that no assurance can be given of an Affirmative decision (that is, one granting a declaration in favor of nullity).

_____ I understand that no assurance can be given as to a definite time for the completion of the Tribunal process.

_____ I understand that the Tribunal may require that I attend one or more sessions with a court approved expert in order to provide the court with an expert's evaluation regarding certain grounds of nullity. I am responsible for all expenses in connection with such an evaluation.

_____ I understand that ABSOLUTELY no arrangements can be made and no date scheduled for a future Catholic marriage or convalidation (not even a tentative date) until after I have received a final notification that a declaration of nullity has been granted and that no restrictions are attached to it. In the event that a *vetitum* (prohibition) or *monitum* (caution) is added at the end of a case, I agree that the conditions requiring these may be discussed with Catholic clergy who I approach regarding a future attempt at marriage.

_____ I understand that if the circumstances causing the invalidity of the marriage so indicate, the Tribunal may require that I seek professional counseling before any subsequent marriage in the Catholic Church is permitted. Expenses in connection with such therapy or counseling are my responsibility.

MANDATE FOR THE PROCURATOR/ADVOCATE

_____ By means of this document, I agree to whomever the Tribunal selects to be my Procurator/Advocate. If the "shorter process" is employed, I may select an Advocate from an approved list of Advocates at: www.dob-tribunal.com. To that person, I concede the faculty of doing and performing in my name all that may be necessary and useful to my interests in this case.

_____ This Mandate includes the full right to delegate a substitute, authorization to review the published acts on my behalf, as well as authority to perform other duties required throughout the process.

WAIVER OF THE PETITIONER

_____ I am aware that an ecclesiastical declaration of nullity has no effect on civil law in the United States or any one of its fifty States, the District of Columbia or any of its territories. Thus, I understand that any determinations made by civil authorities with regard to custody, support or visitation with children, or with regard to any property or obligations stemming from the marriage, remain in full force.

_____ By means of this document, I promise that I will institute no litigation before any civil jurisdiction or for any cause related to the substance of the Tribunal process, since this matter pertains to the governance of the Roman Catholic Church and is within the exclusive jurisdiction of the Tribunal.

CONCLUSION

By my signature below, I the Petitioner hereby affirm that I have read the policy statement, clearly understand it, and fully agree to abide by all of its terms. At this time, I agree to produce the necessary documents and evidence: (PLEASE CHECK THE LIST)

- _____ Your Baptismal Certificate (if baptized)
- _____ Marriage Certificate (Church and/or Civil License)
- _____ Final Civil Decree of Divorce
- _____ Other pertinent documents or reports that may serve as evidence (e.g. medical or police reports, etc.)
- _____ Completed Nullity Application
- _____ Marriage narrative (typed, 2-3 pages).

IN SUMMARY, AS GOD IS MY WITNESS, I DECLARE UNDER OATH THE FOLLOWING:

- A. THAT I AGREE TO OBSERVE THE TRIBUNAL PRACTICES AND POLICIES,
- B. THAT I HAVE ISSUED THE MANDATE ABOVE FOR A PROCURATOR/ADVOCATE,
- C. THAT I AGREE TO THE ABOVE-STATED WAIVER AND INITIALED STATEMENTS, AND
- D. THAT MY RESPONSES ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

Petitioner’s Signature _____



Petitioner’s Name (Printed) _____ Date: _____

The Petitioner has signed the above in my presence on this date: _____

Signature of Priest/Deacon at the parish; or Ecclesiastical Notary at the Tribunal:



Parish Name _____

Parish City/State/Zip _____

[Parish Seal]


PART V PROCESsus BREVIOR (Shorter Process) ADDITIONAL REQUIREMENTS

APPLIES ONLY TO THOSE WHO ARE ELIGIBLE TO PROCEED WITH THE SHORTER PROCESS

Otherwise, please skip this section completely

Pope Francis introduced a shorter process, to adjudicate the nullity cases that are simpler to prove. This takes place before the Diocesan Bishop. This process DID NOT introduce new grounds, but rather created a way to proceed more expeditiously in cases where all the evidence is available. If you wish to apply for the shorter process, the following are required (must indicate 'YES' to all statements/questions below to be eligible):

- 1. Both parties must positively agree to the annulment process (c. 1683 MI). Therefore, a written statement is required from the Respondent (next page). Presumed, conditional or passive agreement from the Respondent **is not** sufficient.
Is the Respondent positively consenting to the process? **Yes:** **No:**
- 2. Your case has been reviewed by the parish priest, deacon or an Advocate and is presumed to have sufficient ground(s) (final approval is made by the Judicial Vicar). **Yes:** **No:**
- 3. There is sufficient evidence already collected to support presumed ground(s) and they are submitted with this application (witness testimonies, documents, expert opinions, etc.). **Yes:** **No:**
(if evidence is partial, select 'NO').
- 4. I understand that this petition and provided evidence will be reviewed by the Judicial Vicar who makes the final decision whether the case qualifies for the shorter process or ordinary process (c. 1676 MI):
Yes: **No:**
- 5. I understand that should the Respondent withdraw his/her initial consent to the annulment process, the shorter process cannot proceed: **Yes:** **No:**
- 6. Should the shorter process be not an option for your application, do you wish to proceed with the ordinary process and with all it entails? **Yes:** **No:**

Signature of the Petitioner: _____ Date: _____ 

Name of the Petitioner: _____

Signature of the Advocate: _____ Date: _____ 

Name of the Advocate: _____

[Parish Seal]

PROCESSUS BREVIOR: CONSENT OF THE RESPONDENT:

I, (name): _____, the Respondent in the Marriage Annulment process initiated by (name): _____ the Petitioner, of my own free will, explicitly agree for the trial process to be conducted by the Tribunal of the Diocese of Bridgeport. I understand, that should I change my mind, I will notify the Tribunal immediately, as it will have an effect on the procedures used in the trial. Moreover, I intend to (check one):

Be actively involved in the trial.

Do not intend to participate, but I do not object to it.

(signed before a witness):

Respondent's Signature: _____ Date: _____



Respondent's Name (Print): _____

CERTIFICATION (by one of the following persons):

I declare the the Respondent signed this statement in my presence on (date): _____

Name: _____ Signature: _____



I am:

- 1. Priest/Deacon of the Parish: _____ [Parish Seal]
- 2. Ecclesiastical Notary (Tribunal): _____
- 3. Notary Public (Stamp/Seal): _____

PROCESSUS BREVIOR: EVIDENCE (please complete with the help of the Clergy/Advocate):

Please remember that *Processes Brevior* does not allow investigative process as ALL EVIDENCE must be presented with the petition. Hence, please list your evidence below.

Presumed Ground(s) of nullity is/are:

I have attached statements from the following witnesses (names and contact information):

- 1.
- 2.
- 3.

I have attached the following documents/evidence:

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

Please attach all evidence to your application.