Diocese of St. Petersburg

Formal Petition for a Declaration of Nullity



Important: It is and remains the policy of the Tribunal, since November 10, 1989, not to accept Petitions for a Declaration of Nullity of Marriage until at least one year has elapsed from the date the civil divorce was granted. When two or more marriages have been contracted, whether in or outside the Church, it is the policy of the Tribunal not to accept these Petitions until at least two years have elapsed from the date of the most recent divorce.

Tribunal
Diocese of St. Petersburg
P. O. Box 40200
St. Petersburg, FL 33743-0200
727-341-6858
www.dosp.org/tribunal
tribunal@dosp.org

v: 1-2026

Dear Petitioner,

Our Lord Jesus is a Gentle Judge and a Merciful Shepherd of Souls. Thus, I invite you to see the process of petitioning for nullity as a spiritual journey and healing remedy. Marriage is a sacred institution and divorce is always a personal tragedy for two people who entered marriage with love and good intentions regarding permanence and fidelity. With the eyes of faith, however, we can discover the truth that sets us free.

Marriage involves two persons as well as the public good. Thus, it is necessary that the process of marriage nullity - which you are about to undertake - needs to be formal and respectful to the rights of all. I encourage you to welcome the participation of your former spouse and foster as much amicability as possible. The Tribunal is obligated to contact your former spouse and hear him or her. If you cannot provide contact information for the respondent, the Tribunal must do a thorough search for that information.

Recalling the circumstances that led to your marriage, recounting the difficult moments of a common life, and naming the reasons for a divorce can be painful. Perhaps too, you are eager to begin a new life with another person whom you have come to love. These realties can lead to an undue focus on the time it takes to process a marriage case. You are encouraged to give your attention to the spiritual good that will come from a careful examination of the prior union. This emphasis helps one be more patient as well as to taking the time needed for you and the Tribunal to arrive at a decision that brings genuine healing and peace.

A petition that is both honest and healing begins with your Parish Priest, Deacon, or appointed Parish Minister, who will help you to fill out the paperwork and provide a clearly written narrative of your martial history. The Judges need to understand what transpired before and during the marriage. This involves careful reflection for the petitioner, the use of hindsight, and a willingness to be candid about the problems that you and your former spouse confronted in marriage. Pray for the courage to take responsibility for your own mistakes and human weakness. The questions in the marital history are designed to uncover the truth. Yes-or-no answers, generalizations, bullet points, or repeating the same thing over and over are not adequate ways for a good marital history. Often it is helpful to pause for a time, refresh your memory, and insure you understand the question asked.

You will be asked to name witnesses. These persons should be people who knew you before you were wed. They also ought to be people you know will be honest and forthcoming with the Tribunal. Family members are often good witnesses. However please encourage witnesses to open-up and answer the questions asked of them with candor and forthrightness.

While the process of seeking a decree of nullity can seem cumbersome, be not afraid! If you engage it with honesty and genuine faith, the experience will prove very healing. The Tribunal is here to help the faithful arrive at a just decision about their marriage. May God bless you!

Sincerely yours in Christ,

Joseph L. Waters

Very Reverend Joseph L. Waters, J.C.L.
Judicial Vicar

GUIDELINES FOR STARTING A MARRIAGE NULLITY CASE (FORMAL PROCESS)

WHERE TO BEGIN

To begin the process, please contact your local Catholic parish. A parish priest or deacon will provide assistance to you and be your advocate throughout the process. 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 petition is called the Petitioner. The other party (your former spouse) is called the Respondent.

Church law and justice requires that the Respondent be contacted and given the opportunity to participate in the process. The parties are rarely asked to appear in the Tribunal and never together.

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 St. Petersburg to examine the status of your marriage in light of the teachings and the laws of the Catholic Church.

Petition for a Declaration of Nullity: This petition 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 petition. The Tribunal will then determine if the case can proceed without the Respondent's current contact information. Please be aware that the Tribunal may also attempt to locate your former spouse; however, this may delay the beginning of the case. **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. The unexplained absence of these documents will prevent the opening of the case.

1. **Baptismal Certificate** - An **original**, **recent certificate** (**issued within the last 6 months and showing all notations**) of the Catholic/Orthodox party(ies).
2. **Marriage License/Certificate** (Church and/or civil)
3. **Final Civil Divorce Decree**
4. **Completed Nullity Petition Form** (this form)
5. **Marriage Narrative**
6. Other pertinent documents or reports that may serve as evidence (e.g. medical or police reports, etc.)

Be certain you (and your Advocate) have reviewed your petition for content and have signed it in all the applicable places. The petition and supporting documents should then be mailed to the Tribunal by your advocate. It is recommended that you keep a copy of the petition 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. 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 situation. Please make an effort to include at least 2 to 4 witnesses. Complete contact information of proposed witnesses is required. Only the names of the witnesses (but not other personal information) may be given to the Respondent. We suggest 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 were asked to cover a portion of the costs as a matter of justice, but Pope Francis has asked for all judicial processes 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. Of course, there are significant costs associated with a labor-intensive legal process like the marriage nullity process. Petitioners are therefore asked to remain diligent in their support of the Church through the Catholic Ministry Appeal.

Review by the Judicial Vicar or Judge: Once your petition 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 Protocol 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.

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 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.

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 coming to a conclusion and they will have a final opportunity to read the Acts of the Case [all testimony pertinent to the case] and submit any additional information.

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 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. If the Petitioner or Respondent wishes to appeal, the fee is the responsibility of that party.

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 the 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 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 have received an affirmative decision (the nullity of marriage has been proven). The Tribunal cannot guarantee the time needed nor the outcome of the formal case.**

Status Inquiries: Because the time frame of the process cannot be guaranteed, status updates are generally 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, your Advocate, or the Respondent. You can contact the Tribunal by mail or e-mail (tribunal@dosp.org) at any time, or by telephone (727-341-6858) Monday through Friday, 8:30am – 4:30pm.

THESE BEGINNING PAGES ARE FOR YOU TO KEEP

PLEASE COMPLETE PETITION ON COMPUTER

WE ASK THAT YOU SUBMIT ONLY THE FOLLOWING PAGES

(IT IS HIGHLY RECOMMENDED THAT YOU SAVE/MAKE A COPY FOR RECORDS)

***** THIS PAGE INTENTIONALLY LEFT BLANK ****

Prot. No.: _____

DIOCESE OF ST. PETERSBURG
FORMAL PETITION FOR A DECLARATION OF NULLITY

PETITIONER (you)

☐Mr./☐Mrs./☐Ms./☐Dr._____
First Middle Last

Last Name prior to this marriage: _____

Home Address: _____

City, State, Zip: _____

Preferred Phone: (_____)_____ ☐ Home ☐ Cell ☐ Work

Email: _____

Date of Birth (MM/DD/YYYY): _____

Place of Birth: _____

Current Religion: _____

Religion of Baptism: _____

Date of Baptism (MM/DD/YYYY): _____

Church of Baptism: _____

City & State: _____

If convert to Catholicism, date of reception: _____/_____/_____

Church of reception: _____

City & State: _____

Religion at time of Wedding: _____

Your Primary Language: _____

Education Level at Time of Wedding: _____

Occupation at time of Wedding: _____

No. of ALL religious and civil ceremonies before this _____

RESPONDENT (your former spouse)

☐Mr./☐Mrs./☐Ms./☐Dr._____
First Middle Last

Last Name prior to this marriage: _____

Home Address: _____

City, State, Zip: _____

Preferred Phone: (_____)_____ ☐ Home ☐ Cell ☐ Work

Email: _____

Date of Birth (MM/DD/YYYY): _____

Place of Birth: _____

Current Religion: _____

Religion of Baptism: _____

Date of Baptism (MM/DD/YYYY): _____

Church of Baptism: _____

City & State: _____

If convert to Catholicism, date of reception: _____/_____/_____

Church of reception: _____

City & State: _____

Religion at time of Wedding: _____

Your Primary Language: _____

Education Level at Time of Wedding: _____

Occupation at time of Wedding: _____

No. of ALL religious and civil ceremonies before this _____

Are you currently enrolled in OCIA? ☐ **Yes /** ☐ **No**

Are you currently:

☐ Seriously Dating ☐ Engaged ☐ Married

COURTSHIP, MARRIAGE AND FAMILY LIFE

Was this the first marriage for both parties? ☐ **Yes** ☐ **No**

When did you meet? _____ When did you begin to date (MM/YYYY)? _____

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

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

Did you attend a marriage preparation program? ☐ Yes / ☐ No

Your age at time of marriage: _____ Respondent's age at time of marriage: _____

Officiant of ceremony (check one):

Priest ____ Deacon _____ Minister _____ Rabbi _____ Civil Official _____ Other _____

Did you have a **civil** wedding ceremony? ☐ Yes / ☐ No Date (MM/DD/YYYY): _____

Location of the civil ceremony (City & State): _____

Did you have a **religious** wedding ceremony? ☐ Yes / ☐ No Date (MM/DD/YYYY): _____

In what religion was the wedding celebrated? (Catholic, Methodist, Hindu, etc.) _____

Name of the Church/Synagogue/Mosque: _____

Address of the Church/Synagogue/Mosque: _____

Did you live together before marriage? ☐ Yes / ☐ No If "yes": 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: _____

If applicable, who has the custody of the children? _____

Were there any children from a previous relationship? ☐ Yes / ☐ No

Were there any miscarriages/abortions prior to or during the marriage? ☐ Yes / ☐ No

How long did you live together as husband and wife? _____

Were there any separations during the marriage? ☐ Yes / ☐ No If "yes" how many: _____

Approximate date of Final Separation (MM/DD/YYYY): _____

DATE OF FINAL CIVIL DIVORCE DECREE (MM/DD/YYYY): _____

County and State of Final 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.):

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. Please be aware that the Tribunal may also attempt to locate your former spouse; however, this may delay the beginning of the case.

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.)? If so Full Name: _____

Last known complete address of the Respondent: _____

Last known email address of the Respondent: _____

Last known Phone No. _____ ☐ Home ☐ Cell ☐ Work

When was your last contact with the Respondent? _____

_____

_____

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: _____

_____

MARRIAGES PRIOR TO THIS PETITION (ALL CIVIL AND RELIGIOUS CEREMONIES)

PREVIOUS MARRIAGE(S) OF PETITIONER

PREVIOUS MARRIAGE #1

With whom (FULL NAME): _____ Last Name prior to this marriage: _____

Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____

Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____

How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____

Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____

Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**

Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

PREVIOUS MARRIAGE #2

With whom (FULL NAME): _____ Last Name prior to this marriage: _____

Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____

Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____

How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____

Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____

Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**

Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

PREVIOUS MARRIAGE(S) OF FORMER SPOUSE

PREVIOUS MARRIAGE #1

With whom (FULL NAME): _____ Last Name prior to this marriage: _____

Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____

Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____

How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____

Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____

Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**

Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

PREVIOUS MARRIAGE #2

With whom (FULL NAME): _____ Last Name prior to this marriage: _____

Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____

Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____

How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____

Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____

Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**

Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

SUBSEQUENT MARRIAGES of Petitioner (ALL civil and religious ceremonies)
(Please use an additional sheet if necessary)

SUBSEQUENT MARRIAGE(S) OF PETITIONER

SUBSEQUENT MARRIAGE #1

With whom (FULL NAME): _____ Last Name prior to this marriage: _____
Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____
Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____
How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____
Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____
Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**
Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

SUBSEQUENT MARRIAGE #2

With whom (FULL NAME): _____ Last Name prior to this marriage: _____
Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____
Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____
How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____
Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____
Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**
Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

Are you presently ☐ Seriously Dating / ☐ engaged / ☐ married? Please complete the following:

With whom (FULL NAME): _____ Last Name prior to this marriage: _____
Date of Birth (MM/DD/YYYY): _____ Religion: _____
Complete Address: _____ City, State, Zip:_____
If Married: Date of Marriage (MM/DD/YYYY): _____

Officiant (check one): ☐ Catholic Priest/ ☐ Deacon ☐ Rabbi ☐ Orthodox Priest ☐ Minister → Religion: _____
☐ Civil Official → Title and name: _____

Place of marriage: _____ City & State: _____
(i.e., church, hall, house, park, beach, etc.)

Is your present spouse/fiancé currently enrolled in OCIA? ☐ Yes / ☐ No

Has your present spouse/fiancé been married before? ☐ Yes / ☐ No If Yes, please complete the following:

PREVIOUS MARRIAGE(S) OF CURRENT SPOUSE/FIANCÉ

PREVIOUS MARRIAGE #1

With whom (FULL NAME): _____ Last Name prior to this marriage: _____
Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____
Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____
How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____
Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____
Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**
Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

PREVIOUS MARRIAGE #2

With whom (FULL NAME): _____ Last Name prior to this marriage: _____
Religion of other party: _____ Date of marriage(MM/DD/YYYY): _____
Where did the marriage take place? ☐ Church (religion)_____ ☐ Civil ☐ Other _____
How was it Terminated? ☐ Death / ☐ Divorce Provide the date(MM/DD/YYYY): _____
Has this marriage been declared null by the Catholic Church? ☐ No / ☐ Yes Protocol Number _____
Diocesan Marriage Tribunal _____ **(Please provide a copy of the Declaration of Nullity.)**
Are the provisions of the civil courts toward your former spouse and any offspring being met? ☐ Yes / ☐ No

WITNESS NAMES AND CONTACT INFORMATION

Church law requires that allegations be proven not only by the statements of the parties to a marriage, but also by the testimony of reliable witnesses. The witnesses should have direct knowledge of you and/or your former spouse before, during, and after marriage. It is best to have witnesses who know both parties. Children of your marriage are not ordinarily witnesses. Please list below the names, complete addresses, including zip codes of witnesses, and their relationship to the parties.

WITNESS 1:

Name: (☐ Mr./ ☐ Mrs./ ☐ Ms.)_____ Relationship: _____

Complete Address: _____

City: _____ State: _____ Zip:_____

Email: _____ Language: _____

WITNESS 2:

Name: (☐ Mr./ ☐ Mrs./ ☐ Ms.)_____ Relationship: _____

Complete Address: _____

City: _____ State: _____ Zip:_____

Email: _____ Language: _____

WITNESS 3:

Name: (☐ Mr./ ☐ Mrs./ ☐ Ms.)_____ Relationship: _____

Complete Address: _____

City: _____ State: _____ Zip:_____

Email: _____ Language: _____

WITNESS 4:

Name: (☐ Mr./ ☐ Mrs./ ☐ Ms.)_____ Relationship: _____

Complete Address: _____

City: _____ State: _____ Zip:_____

Email: _____ Language: _____

NAME OF COUNSELLOR/PSYCHOLOGIST/PSYCHIATRIST _____

Complete Address: _____

City: _____ State: _____ Zip:_____

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 make a mark in one box, several boxes, or no box. There are no "right" or "wrong" answers.

Section **A**: At the time or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1095.2
		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
		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 or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1095.3
		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, pornography etc.)
		expressed, experienced, or denied difficulties with sexual orientation

Section **C**: At the time or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1101.2
		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):
		Did not intend to assume any permanent responsibilities toward the other person

Section **D**: At the time or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1101.2
		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 or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1101.2
		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
		Never intended to have an exclusive, faithful relationship

Section **F**: At the time or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1101.2
		was convinced that divorce was acceptable if the marriage would prove to be unsuccessful and unhappy

Section **G**: At the time or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1102
		intended to be married only if some condition or expectation would be fulfilled. **Please specify the condition:**
		intended to be married only as long as there was no infidelity

Section **H**: At the time or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1103 ; C. 1095.2
		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 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 or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1097
		intended to marry only a person with a certain quality **Please name the quality:**
		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 or our wedding, one or both of us:		
YOU	RESPONDENT	C. 1098 ; C. 1095.2
		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 TESTIMONY (marriage history)

PLEASE READ THE FOLLOWING BEFORE CONTINUING

All petitions MUST include testimony from the Petitioner on separate paper (preferably typed and no longer than 15 pages). This provides insight into you and your former spouse, 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 apply to you and your marriage. A direct and focused response helps to avoid delays in the proceedings. **A simple "yes" or "no" answer to a question is not sufficient.**

I. Concerning Your Courtship.

1. When (approximate date) and where did you become acquainted with your former spouse and how often after this did you date?
2. Describe each party's dating experience before you met (i.e., approximate number of different persons dated, any serious relationship, and the reason for its/their break-up).
3. When did you become engaged? At whose suggestion? How long were you engaged? Please describe any unusual circumstances which influenced your decision to marry.
4. During the time of your courtship, did either of you date anyone else? If so, under what circumstances?
5. During the time you were dating one another, did you encounter any difficulties or misunderstandings serious enough to cause an interruption or break in the courtship? If so, describe these difficulties and the manner in which they were resolved.
6. Did relatives or friends characterize your relationship as one of infatuation? Did they have doubts or concerns? If so, please explain.
7. Describe any problems with excessive jealousy, possessiveness, moodiness, shyness during the courtship.
8. Was there premarital sex? If so, did this influence your decision to marry your former spouse (i.e., guilt, shame, commitment, etc.)? Please explain.
9. Did you live together before marriage? If so, how long? Was there any pressure from anyone to persuade or influence you to marry?
10. Was there a pre-marital pregnancy? If so, in what way did this pregnancy influence your decision to marry? Were other alternatives discussed? What was the reaction of your former spouse, families, and friends?
11. Before marriage, did you receive marriage preparation? What were the reactions to these instructions? What significant issues arose? Did you both take an active interest in the wedding preparations?
12. Prior to marriage, did you both communicate well? Did you discuss and take into consideration the impact of any significant cultural, racial, religious, social, educational, family and personality differences? Describe the results of these discussions.
13. Were there any significant differences in outlook regarding marriage from a religious point of view? Were both of you actively practicing your faiths?
14. Prior to the wedding, were there any discussions or agreements in regard to children (i.e., timing, number, spacing, religion, discipline, etc.)? What would have happened if one party insisted on having a child soon after the wedding?
15. Did either of you have any specific philosophy regarding being faithful in marriage? In entering marriage did both of you intend to be faithful to each other for life?
16. Did you consider what would end the marriage (i.e., infidelity, physical abuse, drugs, lack of love, etc.)?
17. Describe the attitudes of you and your former spouse toward divorce. Was divorce considered a viable solution to an unhappy marriage? After divorce, were the spouses free to enter another marriage?
18. Describe any serious doubts or reservations you or your former spouse may have had concerning the marriage. Did anyone advise against the marriage? How were these doubts resolved?
19. Describe any conditions either of you may have had about each other prior to the ceremony. Was there a prenuptial agreement? If so, what were the details?

II. Concerning The Marriage.

20. Give a brief chronological summary of the marriage: where you both lived and worked, date of birth of children, dates of separation, and other major events.
21. Was the marriage entered into with mutual love? If not, please explain.
22. Was the marriage contracted freely? If there was any force or fear or ultimatum, please explain in detail? Describe any factor(s) that you think propelled you into this marriage.
23. If this was a "blessing" of your civil marriage in the Catholic Church: What did the first ceremony mean to you and your former spouse? Did either of you feel that the first ceremony was valid? Why did you have your civil marriage blessed? Did either party feel pressured? When did you celebrate your anniversary?
24. Describe any significant conflicts just before the wedding, on the wedding day, or on the honeymoon.
25. Describe your daily married life before you began to have problems in the marriage.
26. Describe how well were you and your former spouse able to communicate throughout the marriage? Did you effectively communicate your needs, desires, goals, dreams, anxieties? Did you listen to one another?
27. How did you handle disagreements? Did you walk away and/or argue? Describe any significant physical, verbal, emotional, or sexual mistreatment during your marriage.
28. Describe any personality traits, reactions, negative characteristics that you became aware of in your former spouse during the first year or so of marriage which were not apparent during the period of your courtship.
29. Describe how educational, career, and/or other commitments handicapped you or your former spouse from establishing and maintaining a functional marital relationship.
30. How did the use and/or abuse of alcohol or drugs affect this marriage? Describe significant issues with law enforcement agencies.
31. Was the marriage consummated (sexual relations)? Were there any problems experienced in your sexual relationship? If so, please explain.
32. How many children were conceived? How many children were born? Please provide the dates of any, miscarriages and/or abortions.
33. Was there ever an intention not to have any children by either party? If children were postponed, who decided to postpone them and for what reason? How were they avoided?
34. If children were born, were you and your former spouse both responsible and nurturing parents during the marriage and after the divorce?
35. If children were born to this marriage and are still minors, what provisions have been made or are being made for their proper care? Are the prescriptions of the civil courts being observed?
36. Were both of you faithful to each other? If not, please give details about the infidelity, when it began, how long it continued, etc. How did it affect your relationship?

III. Concerning The Termination Of The Marriage.

37. When and over what issues did the first conflicts arise?
38. After the wedding, when and why were the statements first made about a possible divorce?
39. What were your main complaints regarding your former spouse as husband/father or as wife/mother?
40. What was your spouse's main complaints about you as a spouse and parent?
41. Describe any separations that took place in your marriage (i.e., approximate dates, duration, cause, and manner of reconciliation). When and why did the final separation take place? Describe any attempts at reconciliation.
42. During the marriage did you discuss your marital problems with professional persons? What were the results? If possible, please provide counselor's name, agency, and address.
43. Who initiated divorce proceedings (civil action) and why?
44. Briefly explain why you think and feel this marriage failed and to what extent and in what manner were you responsible for the difficulties that were encountered in your marriage.

IV. Regarding Your Own Character and Personality.

45. Describe the type of family from which you came, indicating any unhappiness in childhood and adolescence which stemmed from family circle (i.e., unstable marriage of parents, dominance of one parent over the other, divorce, infidelity, over-strictness, significant deaths or illnesses or unhappy experiences, emotional or physical difficulties). Were there any problems with the law, alcohol, drug, verbal, sexual, or physical abuse? How was the home atmosphere (warm, cold, distant, unstable)?
46. Describe to what extent religion was a significant part of your upbringing (i.e., frequency of church attendance, formal religious education, etc.).
47. Are your brothers, sisters, or close friends divorced and remarried? Have they experienced other relevant difficulties?
48. Describe how you did in school and other activities? How did you do in the military? Were you consistently employed? How did you get along with co-workers and supervisors?
49. Describe your own maturity and emotional stability at the time of the wedding and during the marriage. What were your strengths and weaknesses? For example,
    * How did you handle responsibility?
    * How did you control anger (violence, destruction)?
    * Were you able to pass up immediate rewards in favor of long-term goals?
    * How did you handle discomfort or defeat?
    * Were you able to make decisions and follow through?
    * Were you dependable in times of crisis?
    * Were you able to tell the truth and to face mistakes without alibis?
50. Were you responsible in financial matters? Did you consult your former spouse in financial matters? Did you buy expensive items to the detriment of the family unit?
51. Before or during marriage, did you have any mental, emotional, nervous disorders? If so, did you ever receive psychiatric or psychological treatment? Please provide names, addresses, diagnosis, results, etc.

V. Regarding the Character and Personality of Your Former Spouse.

52. Describe the type of family from which she/he came, indicating any unhappiness in childhood and adolescence which stemmed from family circle (i.e., unstable marriage of parents, dominance of one parent over the other, divorce, infidelity, over-strictness, significant deaths or illnesses or unhappy experiences, emotional or physical difficulties). Were there any problems with the law, alcohol, drug, verbal, sexual or physical abuse? How was the home atmosphere (warm, cold, distant, unstable)?
53. Describe to what extent religion was a significant part of her/his upbringing (i.e., frequency of church attendance, formal religious education, etc.).
54. Are her/his brothers, sisters, or close friends divorced and remarried? Have they experienced other relevant difficulties?
55. Describe how your former spouse did in school and other activities? How did he/she do in the military? Was he/she always employed? How did he/she get along with co-workers and supervisors?
56. Describe his/her maturity and emotional stability at the time of the wedding and during the marriage. What were his/her strengths and weaknesses? For example,
    * How did he/she handle responsibility?
    * How did he/she control anger (violence, destruction)?
    * Was he/she able to pass up immediate rewards in favor of long-term goals?
    * How did he/she handle discomfort or defeat?
    * Was he/she able to make decisions and follow through?
    * Was he/she dependable in times of crisis?
    * Was he/she able to tell the truth and to face mistakes without alibis?
57. Was he/she responsible in financial matters? Did he/she consult you in financial matters? Did he/she buy expensive items to the detriment of the family unit?
58. Before or during marriage, were there any signs of mental, emotional, nervous disorder on the part of your former spouse? If so, did your former spouse ever receive psychiatric or psychological treatment? Please provide names, addresses, diagnosis, results, etc.
59. Please add any information that has not already been covered which you think is important.

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 explain Tribunal practices and policies, and by your signature on this petition you indicate your understanding and your agreement to abide by them.

PLEASE READ CAREFULLY AND THOROUGHLY BEFORE SIGNING TO CONFIRM YOUR UNDERSTANDING:

CONCERNING CONFIDENTIALITY

- I understand that it is required by the Tribunal to report to proper authorities any indication of sexual abuse of minors and/or vulnerable adults.
- 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 St. Petersburg.
- I understand that this information is never made available, except 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.
- I understand that this information is never made available to the witnesses or anyone acting on their behalf.
- 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 the 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.**

- 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 the signature of the priest/deacon/lay minister on this document I hereby agree to as being my Procurator/Advocate. 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 nullity HAS NO EFFECT ON CIVIL LAW** in the United States or any one of its fifty states, the District of Colombia 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 above Practices and Policies, clearly understand them, and fully agree to abide by all of its terms.

At this time, I have included the necessary documents and evidence.

Required Documents included (please check):

☐ **Baptismal Certificate(s) - MUST be a NEW CERTIFIED DOCUMENT SHOWING ALL NOTATIONS (dated and sealed within the past six months) of the Catholic/Orthodox party(ies).** An original certified baptismal certificate from the time the Baptism occurred **is not acceptable** unless the Baptism occurred within the past six months.

☐ **The marriage license/certificate (please also submit the Catholic certificate if applicable)**

☐ **Final civil decree of divorce**

☐ **Completed Nullity Petition**

☐ **Marriage narrative (typed)**

☐ **Copy of Drivers License/Government issued ID showing legal residence in our Diocese.**

☐ Other pertinent documents or reports that may serve as evidence (e.g. medical or police reports, etc.)

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 STATEMENTS AND WAIVER, AND
D. THAT MY RESPONSES ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

_____ *Sign here* _____

SIGNATURE of Petitioner (required) Date

Digital Signature not accepted

The Petitioner has signed above in my presence and I accept the appointment of Procurator/Advocate.

_____ *Sign here* _____

SIGNATURE of Procurator/Advocate accepting the appointment (required) Date

Digital Signature not accepted

Printed/Typed Name of Procurator/Advocate _____

Parish Name and Address _____

STATEMENT OF TRUST

I entrust myself to the knowledge and conscience of the Judge(s) and choose to rely upon the justice of the Tribunal up to and including the publication of the Definitive Sentence (cf. C.1606).

_____ _____

Signature of Petitioner **Date**