



**DIOCESE OF MONTEREY
THE TRIBUNAL
FORMAL ANNULMENT
PRELIMINARY INFORMATION FORM**

P.N. _____

Please type or print.

NAME OF PETITIONER _____ (Maiden Name) _____

Address _____ City _____ State _____ Zip _____

Phone Numbers: Home _____ Work _____ Email _____

Present Religion _____ Religion at time of marriage: _____

In what Parish do you reside: _____ City _____

Date of Birth _____ Place of Birth _____

Church of Baptism _____ Date of Baptism _____

Address of Church _____ City _____ State _____ Zip _____

Father's Name _____ Religion _____

Mother's Maiden Name _____ Religion _____

NAME OF RESPONDENT _____ (Maiden Name) _____

Address _____ City _____ State _____ Zip _____

Phone Number: Home _____ Work _____

Present Religion _____ Religion at time of Marriage _____

Date of Birth _____ Place of Birth _____

Church of Baptism _____ Date of Baptism _____

Address of Church _____ City _____ State _____ Zip _____

Father's Name _____ Religion _____

Mother's Maiden Name _____ Religion _____

MARRIAGE BETWEEN THE PETITIONER AND RESPONDENT

Place (name of Church or Court) _____ Date _____

Address _____ City _____ State _____ Zip _____

Person Performing Marriage: Catholic Priest Minister Judge Age when married: Petitioner _____ Respondent _____

Length of Courtship _____ Date of Engagement _____ Did you live together before marriage? _____

of separations during marriage _____ Date of final separation _____ # of children _____

(If church marriage and civil ceremony were at different times and/or places please note.)

CIVIL DISSOLUTION/DIVORCE: Person who filed for divorce? _____

County & State _____ Date of Final Decree _____

FAMILY'S MARITAL STATUS:

Parent's marital status: (please circle) Married Divorced Answer the following with numbers.

Mother: How many times married? _____ Divorced? _____ Widowed? _____
Father: How many times married? _____ Divorced? _____ Widowed? _____
Siblings: How many siblings do you have? _____ How many have been married? _____ Divorced? _____

REGARDING THE MARITAL RELATIONSHIP:

During your courtship and engagement was there any indication of issues or behaviors that proved to be problematic in the marriage?
If yes please describe.

At the time of marriage, did you consider yourself sufficiently mature to commit to a lifelong relationship? [] YES [] NO

At the time of marriage, did you consider your former spouse sufficiently mature to commit to a lifelong relationship? [] YES [] NO

Was there any indication before or after the marriage of:

Abuse of alcohol, drugs or other addictive issues? _____

Homosexuality or sexual deviant behavior? _____

At the time of marriage, what was your intention regarding having children? _____

What was your former spouse's intention? _____

At the time of marriage, what was your intention regarding the permanence of your marriage? _____

What was your former spouse's intention? _____

At the time of marriage, what was your intention regarding being faithful to your spouse throughout your marriage? _____

What was your former spouses intention? _____

Did any of these intentions change after marriage? If yes, please explain. _____

Were you and your former spouse able to communicate in depth regarding issues of a personal nature, as well as, your marital life?
If no, please explain. _____

OTHER MARRIAGES

Regarding the Petitioner:

How many times have you been married including your marriage to the Respondent? _____

List all marriages of yourself, giving the following information:

To Whom (maiden name if woman)

Date

Place (i.e. Church, Courthouse, City, State etc.)

Are you presently married? [] yes [] no If yes, name of current spouse _____

Has your current spouse been married before? [] Yes [] No If yes, is he/she free to marry in the Catholic Church? [] Yes [] No

If planning to marry, has your intended spouse ever married before? [] Yes [] No If yes, is he/she free to marry? [] Yes [] NO

If Yes: Year _____ Place _____ Before Whom _____

Regarding the Respondent:

How many times has the Respondent been married including his/her marriage to you? _____

List all marriages of the Respondent, giving the following information:

To Whom (maiden name if woman)

Date

Place (i.e. Church, Courthouse, City, State etc.)

Respondent's current marital status Married [] Divorced [] Widowed []

Do you expect that the Respondent will cooperate with the Church in this case? [] Yes [] No [] Maybe [] Unknown

I solemnly swear before God that all information contained within this questionnaire is truthful to the best of my knowledge.

Petitioner's signature

Date

DOCUMENTS You will need to obtain & present with the Tribunal Practices & Policies, Preliminary Information Form, List of Witnesses, and your Marriage Case History the following documents:

1. **Current Baptismal Certificates of the Petitioner and Respondent** (obtained at the Church where baptized)
2. **Church and Civil Marriage Certificates** (obtained at the church and county offices where married)
3. **Final Divorce Decree** (obtained at the county offices where divorced)

Please mail with \$100.00 filing fee to:

**Diocese of Monterey
The Tribunal
P.O. Box 350
Monterey, CA 93942**

PLEASE KEEP DUPLICATES

For Tribunal Use Only	
Date Recd. _____	Reviewed by _____
<input type="checkbox"/> Preliminary Information Form <input type="checkbox"/> Tribunal Practices & Policies <input type="checkbox"/> Marriage Case History <input type="checkbox"/> Documents <input type="checkbox"/> List of Witnesses <input type="checkbox"/> Filing Fee	
2007	



DIOCESE OF MONTEREY FORMAL ANNULMENT

TRIBUNAL PRACTICES AND POLICIES

PLEASE READ CAREFULLY, SIGN & INITIAL

In presenting a petition for a declaration of nullity of your marriage, you are asking that your marital status be clarified in the Roman 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 Roman Catholic Church. The primary purpose of the Tribunal is to gather and sift through evidence in order to discover truth and serve justice. It is also the Tribunal's desire that the proceedings be a healing experience conducted in a spirit of Christian understanding and compassion.

Out of respect for the human dignity of persons and the sacred nature of marriage, Church tribunals are required to approach each marriage as valid, presuming that you and your former spouse both meant what you said and accomplished what you intended when you first exchanged vows. There are numerous reasons or *grounds of nullity* why this presumption can be overturned, but decisions in such cases are not arbitrary. Declarations of nullity are not favors given to innocent or deserving parties. They are statements about the deepest spiritual truth of your former union, as best as any human judge can determine. Judges must have moral certitude, *based on the evidence brought forward*, that your former union was missing one of the elements essential for marriage as the Church teaches God intended it to be. In the absence of such certitude, the judge must rule in the *negative*.

Concerning the Respondent (Your Former Spouse)

Church Law requires that your former spouse be contacted and offered the opportunity to testify. Make every effort to locate your former spouse so that he/she can be contacted by the Tribunal to participate in the process. Understand that you need have no direct contact with your former spouse, unless you feel it is in your own best interest to make contact and encourage a response.

Concerning Witnesses

Witnesses are necessary to process this petition for a declaration of marriage nullity. It is in your best interest to encourage their cooperation; please understand, however, that you are in no way to assist them in preparing their testimony.

Concerning Confidentiality

Because of the sensitive nature of information gathered in this process, and because the Tribunal wishes to promote a spirit of reconciliation, all the information gathered in the course of this investigation is considered confidential. This information is never made available except as required by Church Law for inspection by the Petitioner, the Respondent and officers of this Court.

This information is never made available to the witnesses or anyone acting on their behalf, or in any civil legal proceedings. In accord with applicable standards of professional accountability, reports from psychological counselors are always withheld from the Petitioner and the Respondent. Witnesses may ask that their testimony be withheld from the Petitioner and/or the Respondent for serious reason, such as avoidance of defamation of character, physical danger, family discord or scandal.

The Presiding Judge may curtail the availability of testimony for serious reasons. It is the policy of the Tribunal to disclose this information to those duly authorized ecclesiastical officials or other ecclesiastical Tribunals when necessary for the resolution of the case.

Concerning Expenses and Fees

The ordinary expenses incurred in processing marriage nullity cases of this nature are \$500.00. This amount covers approximately 30% of total Tribunal costs for salaries, postage and telephone, office equipment and secretarial expenses. The Diocese of Monterey subsidizes other ordinary Tribunal expenses. Additionally, in certain cases the judge may deem it necessary to employ the services of a professional in the behavioral sciences to assist in clarifying issues that may arise. It is the responsibility of the Petitioner to defray these expenses.

A filing fee of \$100.00 is required when submitting the petition. The remaining \$400.00 and, if necessary, any additional professional fees, are due and payable before the completion of the case. This obligation may be met on an installment basis by agreement between the Petitioner and the Tribunal. Inability to meet these expenses is never a cause for refusing to accept and process a petition. Should you anticipate difficulties in this regard, please have your parish priest contact this office.

AFFIDAVIT OF PETITIONER

I have *initialed* to show that I have read and understand the following points with regard to my petition for a declaration of nullity:

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

_____ No assurance can be given as to a definite time for the completion of the Tribunal process.

_____ Should the Tribunal of the Diocese of Monterey issue an affirmative decision in my case, this decision has no force until confirmed or upheld by a second affirmative decision by the Court of Appeals.

_____ 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 two affirmative decisions have been issued.

_____ 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. All expenses in connection with such therapy or counsel are my responsibility.

By my signature below, I the Petitioner hereby indicate that I have read the two pages of the Practices and Policies statement, do clearly understand it, and fully agree to abide by all of its terms.

Signature of Petitioner

Signature of Pastoral Minister

Date

Church Name & City

***Upon completion forward the signed originals to the Tribunal with the:
Preliminary Information Form,
Marriage Case History
Documents
List of witnesses
\$100.00 filing fee.***

Petitioner should keep duplicates of all materials submitted.



DIOCESE OF MONTEREY The Tribunal

Marriage Case History

It is important for the Tribunal to have an understanding of the marriage for which you are seeking an annulment. With this knowledge it can be decided which process is to be used or whether there is even sufficient evidence to begin a process. The following OUTLINE is an aid to help you give the necessary information to the Tribunal.

DIRECTIONS

- 1) *Using the suggested OUTLINE, tell, **IN NARRATIVE FORM**, the story of your marriage. **DO NOT MERELY ANSWER** the questions. Be as factual and complete as you can.*
- 2) *Your history should be approximately 5 to 6 double-spaced typewritten pages. Please sign and date it.*
- 3) *Upon acceptance of your case you may be asked for additional testimony or clarification..*

OUTLINE

1. BACKGROUND

Yourself:

Your name (maiden name if a woman), date and place of birth, nationality, religion.

Religion of your family; number of your brothers and sisters; educational background and achievements, extent of religious education.

Family life: how you related to your parents, brothers and sisters; how your family got along with neighbors; how your family practiced religion and fulfilled community and civic responsibilities.

History of mental/emotional illness in you or in your family; significant illnesses; counseling or psychotherapy; any special problems.

Respondent: Please provide the same information regarding the Respondent as above insofar as you know it.

2. MEETING AND COURTSHIP

Prior to meeting your former spouse, did you date other people; were there any other relationships which included engagement; if so, what were the causes of the break-offs;

How and when did you meet the Respondent; how old were each of you then; how long did you know each other before marriage; how often did you date; any problems between you while you were dating; whether you ever broke up and why;

How the subject of marriage came up; when did you decide to marry and how long were you engaged; reaction of each one's family to the plan to be married; any force involved; any opposition to the proposed marriage;

Attitude of your self and Respondent toward having children; toward use of sex during courtship; toward permanence in the proposed marriage; toward an exclusive relationship in marriage;

Whether either of you hesitated about getting married and why; whether either of you had doubts that the marriage would last, and why; did anyone advise against the marriage;

Were you aware of any family, cultural, religious or economic differences; troubles that would threaten the harmony and happiness of your married life;
What, if any, specific marriage instructions you had from a priest, minister, rabbi, counselor, physician.

3. WEDDING AND HONEYMOON

Describe the duration, the quality and the happiness or the unhappiness of your engagement;
Did you or your former spouse have any doubts, serious disagreements or separations within the engagement time;
Did anyone try to talk you or your former spouse out of going through with the wedding;
Describe your wedding; was it a happy event; did you both seem to have your wits about you during the ceremony;
Were either of you under the influence of alcohol or drugs at this time;
Was the honeymoon a pleasant, happy experience; did you return from your honeymoon angry with each other, or regretting that you ever got married?

4. MARRIED LIFE

Attitude of each of you toward work and responsibilities;
How did your early married life go; when specifically did the difficulties begin and what gave rise to them;
Attitude of each of you toward having children, did these attitudes cause any problems;
Any physical or psychological mistreatment;
The part that each of your parents played in the marriage;
Did you find your spouse the person you thought him or her to be before marriage--if not, please explain;
Were contraceptive measures regularly used;
Was professional help sought in trying to resolve any problems, if yes, provide the name of the person.

5. FINAL SEPARATION

Number of separations and their causes;
Problems toward the end of the marriage;
Real cause for final separation and decision to end the marriage (not the general ones given on the civil divorce suit).
On what specific grounds do you believe your marriage should be declared null in the Church (*it would be helpful to discuss this point with your parish priest*).

Please feel free to add any further comments, information or clarification which would help this court in determining the validity of this marriage.

**PLEASE ~ NUMBER YOUR PAGES
DATE AND SIGN YOUR TYPEWRITTEN STATEMENT
KEEP A DUPLICATE**



Diocese of Monterey The Tribunal

Witnesses

Testimony of other individuals is necessary in the annulment process. The witnesses you offer should be people who have known both parties before the marriage and during the marriage. Quite often testimony of the families concerning the formative years of the individuals is most helpful. Please inform the individuals you list as witnesses that they will be asked to give testimony and it will be held in strict confidence as they request.

(Please type or print)

1. Name _____ Phone: _____

Address: _____ City _____ State _____ Zip _____

Relationship: _____

2. Name _____ Phone: _____

Address: _____ City _____ State _____ Zip _____

Relationship: _____

3. Name _____ Phone: _____

Address: _____ City _____ State _____ Zip _____

Relationship: _____

4. Name _____ Phone: _____

Address: _____ City _____ State _____ Zip _____

Relationship: _____

5. Name _____ Phone: _____

Address: _____ City _____ State _____ Zip _____

Relationship: _____