

**Office Use Only**      Date Rec'd: .....

Case Name: .....

Case #: .....



## PETITION FOR A DECLARATION OF NULLITY

DIocese of GAYLORD-TRIBUNAL · 611 W North Street · Gaylord, MI 49735-8349 · 800-727-5147 ext. 3501 · www.dioceseofgaylord.org

*This form must be filled out completely (please print or type), including information regarding the Respondent. **The Respondent will be sent a copy of the essay portion of this petition.** If the Respondent is truly impossible to locate, please attach a record of your attempts at locating him/her.*

### PETITIONER (YOU)

Current name: .....

Maiden name (if applicable): .....

Present address: .....

City: ..... State: ..... Zip: .....

Telephone: .....

E-mail: .....

Date of birth: ..... City: .....

Baptized? Yes No      If so, date: .....

Church of baptism: .....

City: ..... State: ..... Zip: .....

Age at time of marriage: .....

Your religion at time of marriage: .....

Your religion currently: .....

### RESPONDENT (OTHER PARTY)

Current name: .....

Maiden name (if applicable): .....

Present address: .....

City: ..... State: ..... Zip: .....

Telephone: .....

E-mail: .....

Date of birth: ..... City: .....

Baptized? Yes No      If so, date: .....

Church of baptism: .....

City: ..... State: ..... Zip: .....

Age at time of marriage: .....

His/her religion at time of marriage: .....

His/her religion currently: .....

### CONCERNING THE RELATIONSHIP

Date when courtship began: ..... Length of courtship prior to engagement: .....

Date of engagement: ..... Length of engagement prior to marriage: .....

Date of marriage: ..... Length of marriage prior to divorce: .....

Church or place of marriage: .....

Address of church or place of marriage: .....

City: ..... State: ..... Zip: .....

Minister or officiant of marriage: ..... Denomination (if applicable): .....

If a civil marriage, was it ever "blessed" / "validated" in the Catholic Church? Yes No      If so, where: .....

Date of separation: ..... Date of divorce: ..... County, state of divorce: .....

**CHILDREN BORN OF THIS MARRIAGE**

Name: ..... Date of birth: .....  
Name: ..... Date of birth: .....  
Name: ..... Date of birth: .....  
Name: ..... Date of birth: .....

*Attach additional sheets as needed.*

*\* A declaration of nullity does not make children illegitimate if at least one of the parties has exchanged marital consent in good faith.*

Has either party ever petitioned for a declaration of nullity of this marriage, whether before this tribunal or another tribunal?

Yes No If so, please indicate where and when: .....

**INFORMATION REGARDING OTHER MARRIAGES**

Was this the first marriage for both of you? .....  Yes  No

*Please indicate any other marriages contracted by either party, whether before or after the marriage in question. If more space is needed, please include those marriages on a separate sheet.*

**PETITIONER**       **RESPONDENT**

Spouse: ..... Check all that apply below:  
Religion of spouse: .....  If Catholic decree of nullity, protocol #: .....  
Date of marriage: ..... Location: .....  If former spouse is dead, give date of death: .....  
Was this marriage ever validated in the Catholic Church? .....  If civil divorce, give date of divorce: .....

**PETITIONER**       **RESPONDENT**

Spouse: ..... Check all that apply below:  
Religion of spouse: .....  If Catholic decree of nullity, protocol #: .....  
Date of marriage: ..... Location: .....  If former spouse is dead, give date of death: .....  
Was this marriage ever validated in the Catholic Church? .....  If civil divorce, give date of divorce: .....

*For each marriage, please enclose, if applicable, certified civil marriage license, death certificate, divorce decree, and Catholic declaration of nullity.*

## PETITIONER'S CURRENT INTENTIONS

I have no plans to enter marriage                      **OR**                       Name of intended spouse: .....

Religion of intended spouse: .....

Has he/she ever been previously married?    Yes\*    No

*\*If yes, please note that this other person is not free to marry in the Catholic Church unless his/her previous spouse has died or the marriage is declared invalid consequent to a separate petition for a declaration of nullity or a lack of canonical form.*

## GROUND(S) OF NULLITY

*By petitioning for a declaration of nullity, you are making an allegation that your marriage was invalid due to some factor present on the day you exchanged marital consent. Consequently, a petition for a declaration of nullity must include the reason for petitioning; that is, the ground or grounds of nullity on which the marriage is being challenged. The petition must also indicate at least in a general way the facts on which the Petitioner is relying in order to demonstrate the nullity of marriage. Please refer to APPENDIX A: EXPLANATIONS OF THE GROUNDS OF NULLITY and the sample petitions when completing this section. Many parties find it helpful to solicit the assistance of their parish priest or a canonical advocate in completing this section.*

Please provide the following information on type-written sheets of paper:

1. Basic details about how you and the Respondent met;
2. Basic details surrounding the courtship, the decision to marry, and the day of the wedding;
3. Basic details about why the marriage failed;
4. The ground(s) of nullity which you believe rendered your marriage invalid specifying the party on whom you are making the allegation, that is whether on the Petitioner or on the Respondent, and an explanation of your reasons;
5. A list of the facts and proofs (e.g., witness testimony, doctors' reports, etc.) that you will eventually use to support your accusation of the nullity of your marriage. For witnesses, describe what testimony they will provide relative to the ground(s);
6. Additional information that you think will be useful for the Tribunal.

*The information you provide should usually not be longer than 5 pages and **will be sent to the Respondent**. Based on the information you provide, the Tribunal will likely ask follow-up questions that deal specifically with your case. In many cases the Petitioner will be asked to provide further written and oral testimony after the case has been accepted. If the Respondent chooses to participate in the trial he or she will have an opportunity to see this additional information at a later time.*

## WITNESSES

*In order to prove the nullity of a marriage, you must provide witnesses who will attest to the facts and proofs alleged about the proposed ground(s) of nullity. You should contact these witnesses in advance to ensure that they are willing to testify and to inform them that the Tribunal will be contacting them. The pace of the marriage nullity process is often connected to the responses of the witnesses.*

| WITNESS # 1                        | WITNESS # 2                        |
|------------------------------------|------------------------------------|
| Name: .....                        | Name: .....                        |
| Address: .....                     | Address: .....                     |
| City ..... State. .... Zip. ....   | City ..... State. .... Zip. ....   |
| Telephone: .....                   | Telephone: .....                   |
| E-mail: .....                      | E-mail: .....                      |
| Date of birth: .....               | Date of birth: .....               |
| Relationship to the parties: ..... | Relationship to the parties: ..... |

|   |   |
|---|---|
| <p><b>WITNESS # 3</b></p> <p>Name: .....</p> <p>Address: .....</p> <p>City ..... State. .... Zip. ....</p> <p>Telephone: .....</p> <p>E-mail: .....</p> <p>Date of birth: .....</p> <p>Relationship to the parties: .....</p> | <p><b>WITNESS # 4</b></p> <p>Name: .....</p> <p>Address: .....</p> <p>City ..... State. .... Zip. ....</p> <p>Telephone: .....</p> <p>E-mail: .....</p> <p>Date of birth: .....</p> <p>Relationship to the parties: .....</p> |
| <p><b>WITNESS # 5</b></p> <p>Name: .....</p> <p>Address: .....</p> <p>City ..... State. .... Zip. ....</p> <p>Telephone: .....</p> <p>E-mail: .....</p> <p>Date of birth: .....</p> <p>Relationship to the parties: .....</p> | <p><b>WITNESS # 6</b></p> <p>Name: .....</p> <p>Address: .....</p> <p>City ..... State. .... Zip. ....</p> <p>Telephone: .....</p> <p>E-mail: .....</p> <p>Date of birth: .....</p> <p>Relationship to the parties: .....</p> |

**Necessary Documents:**  
Please enclose recently issued baptismal certificates for both parties if possible (within the last 6 months for Catholic parties), a certified civil marriage license, and the complete civil divorce decree.

**Fees for the Process:**  
There is no fee for processing a cause of nullity. However, the Diocese of Gaylord incurs many expenses in doing so, e.g., for salaries, supplies, postage, etc. Many tribunals, as a matter of justice, pass on a portion of these expenses to the parties requesting a service. In this diocese, the annual Catholic Services Appeal (CSA) covers the cost of processing annulments. In other words, the Church or other people in the pews bear the expenses. Hence, all -- but Petitioners especially -- are encouraged to support the annual drive generously.

**Right to an Advocate:**  
If you wish to receive the services of an advocate, please contact the Tribunal for further information regarding using in-house advocates or finding an external advocate.

***Please sign and date the statement below:***

I believe that the above-mentioned marriage was invalid according to the law of the Catholic Church based on the facts and proofs that are proposed herein, and I request that the Tribunal of the Diocese of Gaylord judge whether this marriage is proven to be invalid.

I recognize that the materials gathered for this judicial process are open to the officials of the Tribunal and are available for review by the psychological and other experts used by the Tribunal **and by the Respondent**.

I understand that no guarantee can be made as to the outcome of the case, that no definite time frame for the completion of a case can be established, and that **no date for a new marriage can be set by anyone unless and until an affirmative decision is issued and no appeal has been made by either party or the Defender of the Bond**.

I understand that the burden of overturning the legal presumption of canon 1060 that the marriage in question is valid rests with the Petitioner.

I swear before God and my conscience that all the information given in this petition is true insofar as I know.

.....  
Signature of Petitioner

.....  
Date

.....  
Signature of Priest Sponsor / Pastor

.....  
Parish

.....  
City