

INTER-EPARCHIAL MARRIAGE TRIBUNAL

INSTRUCTIONS FOR SUBMITTING A CASE TO THE TRIBUNAL

to initiate the process for a declaration of invalidity

An declaration of invalidity is a process which involves the marriage of two validly baptized parties and one, or both, wish to remarry in the Catholic Church after having been civilly divorced. The purpose of the annulment is to prove, through a legal Church process, that one or both parties were unable to give of themselves completely to another at the time of marriage, thus invalidating their exchange of consent at the time of marriage. All marriages are presumed valid until proven invalid.

1. Fill out the PRELIMINARY INFORMATION QUESTIONNAIRE
2. Prepare a WITNESS LIST. NOTE: The Plaintiff must contact each witness individually in order to ensure their willingness to cooperate in providing either verbal or written testimony regarding this case. **Otherwise, our office cannot use the person as a witness.** If consent is given, please check the YES box on the witness list.
3. Write a brief SUMMARY OF MARRIED LIFE, with the help of the guide provided. A concise, yet adequate summary can be made in about 2 or 3 typed pages.
4. Provide the following Certificates:
 - the Baptismal Certificate for each Catholic party (and non-Catholic if available)
 - a Certificate of Birth or Baptism for the first child **IF** there was a pre-marital pregnancy.
 - the Marriage Certificate either civil or church (**IF** you were married in the Catholic Church, we require a copy of the certificate issued by the Church or a copy of the original marriage registration).
 - the Divorce Certificate or Decree Absolute

IMPORTANT NOTE: NO CASE WILL FORMALLY BEGIN UNTIL THE CIVIL DIVORCE HAS BEEN FINALIZED AND A COPY OF THE DIVORCE CERTIFICATE OR DECREE ABSOLUTE HAS BEEN RECEIVED IN THIS OFFICE.

The Baptismal Certificates of both parties and the Certificate of Marriage should be available from the Parish of Marriage if the marriage was celebrated in a Catholic Church. If there is difficulty obtaining these documents, apply to the Parish of Marriage and ask for a photocopy from the Marriage File. Please contact our office if you require assistance in obtaining these documents.

There is a charge to the Plaintiff of to pay part of the cost of this investigation. The balance of the cost is absorbed by the Church. Please contact the tribunal at the above address for current costs involved in the investigation. Do not send any money at this time. DO NOT LET FINANCIAL DIFFICULTIES PREVENT YOU FROM APPLYING. In the case of serious hardship, the fee can be modified.

There is NO SET TIME FRAME for the completion of a case. On average, it usually takes about 3-4 months before a case is finalized, however, some circumstances make create additional delays in processing.

The Tribunal will not be pressured to speed up cases or to give a certain case preferential treatment. All cases are treated equally with the same care and respect.

GUIDELINES FOR DRAFTING A SUMMARY OF MARRIED LIFE

The following outline is intended to assist the Plaintiff in writing a **BRIEF** summary of the background, courtship, and married life, while taking into consideration the following points as they apply to his/her own situation. The summary should be written in chronological order,

1. **INITIAL ENCOUNTER:** Date of meeting and when dating began. Personal situation at time (such as age, residence, occupation, goals.) Family and home background of both parties, specifically any difficulties. Basic character, temperament and degree of maturity of both parties.
2. **COURTSHIP/ENGAGEMENT:** Duration of courtship. Date of engagement. Extent of personal contact. Intimacy during courtship period. Early conflicts of interest or goals toward marriage and family life. Reason for moving toward marriage. Attitudes of parents and others toward the relationship and marriage. Doubts or hesitations of either party.
3. **WEDDING/HONEYMOON:** Problems or unusual events with preparations for the wedding or on the wedding day. Disturbing actions or statements by parties or other people. Problems or disturbing discoveries on honeymoon.
4. **EARLY MARRIED LIFE:** Efforts made to grow and develop as a couple. Display of love and affection. Attitude toward birth of children. Problems emerging - such as poor communication, irresponsibility, infidelity, alcohol, outside interference, abuse (any form), religious differences. Approximate date problems began and their effect on the marriage.
5. **DEVELOPMENT OF DIFFICULTIES LEADING TO SEPARATION:** Problems and complications as they arose. Main complaints of either party against the other. Attempts to resolve difficulties. Counselling received. Date and number of separations and reconciliations. Events leading up to final departure. Date and problems after final separation.
6. **PRESENT SITUATION:** May a reconciliation still be possible. Counselling received.

NOTE: If you are planning remarriage, please give the name, religion and marital status of future spouse. If you have already remarried, please give the date of marriage and the name, religion, and marital status of your new spouse at the time of your marriage.
7. **MOTIVES FOR PRESENT ACTIONS:** In what way would this action be of religious or spiritual advantage to yourself, your spouse in the marriage in question, children born of that marriage, and the Church community.

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(for office use)

CASE NAME:

CASE NUMBER:

1. I, the undersigned, _____, hereby respectfully request the Inter-eparchial Marriage Tribunal to examine and judge the validity of my marriage to _____.

2. CONCERNING THE PLAINTIFF:

BIRTH: Full name at birth _____
Date of birth _____
Place of birth _____
Names of parents _____

BAPTISM: Religion _____
Date of Baptism _____
Church of Baptism _____
Address of Notification _____

RESIDENCE: Present name _____
Present address _____

Telephone: Home: _____
Work: _____
e-mail: _____

3. CONCERNING THE RESPONDENT:

BIRTH: Full name at birth _____
Date of birth _____
Place of birth _____
Names of parents _____

BAPTISM: Religion _____
Date of Baptism _____
Church of Baptism _____
Address of Notification _____

RESIDENCE: Present Name _____
Present Address _____

Telephone: Home: _____
Work: _____
e-mail: _____

INTER-EPARCHIAL MARRIAGE TRIBUNAL

CASE NAME:

CASE NUMBER:

4. CONCERNING THE MARRIAGE IN QUESTION:

WEDDING: Date of Wedding _____
Church of Wedding _____
Address of Notification _____

5. PRESENT CIVIL STATUS OF MARRIAGE: civilly divorced
date certificate issued _____
place issued _____

6. GROUNDS: I contend my marriage was invalid for the following reasons:

Lack of discretionary judgement concerning the essential matrimonial rights and duties (Canon 818.2) on the part of:

1. the Plaintiff
2. the Respondent

(You and/or your spouse were affected by some serious circumstances or factors that made you unable to judge or evaluate either the decision to marry or the ability to create a true marital relationship.)

7. DOCUMENTS: Knowing also that the information I have given must be demonstrated by proper documents, I am submitting the following documents for the Tribunal's examination:

- ☐ Plaintiff's Summary of Married Life
- ☐ Plaintiff's Certificate of Baptism
- ☐ Respondent's Certificate of Baptism
- ☐ Certificate of Marriage
- ☐ Certificate of Divorce or Decree Absolute
- ☐ Dispensation

8. TRIBUNAL FEES: Since the examination and the judgement of my case will involve considerable time and effort on the part of the Tribunal, I hereby agree to pay the standard fee of \$525.00.

Note: *Fees are non-refundable unless the petition is initially rejected.*

9. Alternate Payment Schedule: In cases involving financial difficulty, we would be willing to accept monthly payments of an altered agreed amount toward the Tribunal Fees. Please contact the Tribunal to approve any changes in payment and to make sure you have an updated form as fees are subject to change without notice.

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CASE NAME:

CASE NUMBER:

10. PROVISIO: In making this Libellus, I acknowledge that NO assurance is given:

- a) that the Tribunal will accept this case,
- b) that the process will be finished by any set time,
- c) that the final decision will be in my favour.

11. I also understand that it is inappropriate to contact or hassle auditors about interviewing my witnesses or to offer tribunal staff members gifts during the process of my case.

Respectfully submitted at _____
(city)

on this _____ day of _____, 20_____.

Plaintiff/Applicant

Witness

IMPORTANT NOTE: YOU MUST CONTACT EACH WITNESS INDIVIDUALLY IN ORDER TO ENSURE HIS/HER WILLINGNESS TO COOPERATE IN PROVIDING TESTIMONY REGARDING THIS CASE OTHERWISE OUR OFFICE CANNOT USE THE PERSON AS A WITNESS.

DOES THIS WITNESS AGREE TO PROVIDE TESTIMONY: YES ☐

NAME _____

ADDRESS _____

PHONE NUMBER _____ POSTAL CODE _____

(HOME)

(OFFICE)

LENGTH OF ACQUAINTANCE _____ RELATIONSHIP _____

Areas of knowledge: (i.e. background, courtship, marriage) _____

DOES THIS WITNESS AGREE TO PROVIDE TESTIMONY: YES ☐

NAME _____

ADDRESS _____

PHONE NUMBER _____ POSTAL CODE _____

(HOME)

(OFFICE)

LENGTH OF ACQUAINTANCE _____ RELATIONSHIP _____

Areas of knowledge: (i.e. background, courtship, marriage) _____

ADDITIONAL INFORMATION

1. Your age at the time of wedding _____
2. Your former spouse's age _____
3. Is the marriage presently under study your **first** marriage? YES ☐ NO ☐
Was it your former spouse's **first** marriage? YES ☐ NO ☐

IF NOT:

MY FORMER MARRIAGE(S): (Give maiden name of women)

a) To _____ Date _____ Divorce/Death Date _____

b) To _____ Date _____ Divorce/Death Date _____

MY FORMER SPOUSE'S MARRIAGE(S): (Give maiden name of women)

a) To _____ Date _____ Divorce/Death Date _____

b) To _____ Date _____ Divorce/Death Date _____

4. Length of married life together: _____

5. Dates and duration of any temporary separations:

6. Date of final separation: _____

7. Reason for final separation: _____

8. Names and birth dates of children of marriage. If no children born of the marriage, state reason.

9. CONCERNING PLANS FOR A NEW MARRIAGE:

Name of fiancé(e) _____

Religion _____ Church and city of baptism _____

Marital status (single, separated, divorced, widowed) _____

Date of anticipated marriage _____

IF YOUR FIANCE(E) IS DIVORCED PLEASE CONTACT OUR OFFICE IMMEDIATELY.

10. CONCERNING YOUR FORMER SPOUSE:

Please provide any information that you may have concerning the current marital status of your former spouse _____

11. PRESENT PASTOR: Name _____

Address _____

Phone number/email: _____

12. Is there another priest or former pastor with whom you still have contact who would know you well:

Name _____

Address _____

Phone number/email: _____