



METROPOLITAN TRIBUNAL

3501 South Lake Drive, P.O. Box 070912
Milwaukee, WI 53207-0912
(414) 769-3300 • tribunal@archmil.org

PETITION FOR A CHURCH DECLARATION OF INVALIDITY

DISTRIBUTE WITH THE TRIBUNAL BROCHURE "DECLARING A MARRIAGE INVALID"

Dear Petitioner:

Enclosed, you will find an outline of information needed by the Metropolitan Tribunal of the Archdiocese of Milwaukee to begin the process of reviewing a marriage for a possible declaration of invalidity. Please note the following instructions:

1. Complete every question. Make sure facts and dates are as accurate as possible. Throughout this form the **PETITIONER is you**. The section entitled **RESPONDENT** is for information regarding **your former spouse**.
2. In order to expedite your case, copies of your civil marriage certificate and civil divorce should accompany this application. The Clerk of Courts requires the civil case number for a proper search for these documents.
3. Please **do not** submit any information to our office until your civil divorce is granted. All applications submitted without necessary documentation will be returned.
4. **All** former marriages must be considered. Therefore, if you have been married more than once, a separate application form must be submitted for **each** previous marriage. (This would not be necessary if your former spouse(s) is/are deceased.)
5. It is necessary that you provide a current address for your former spouse if at all possible. If necessary, please provide the name of a relative of your former spouse. Church law requires us to contact your former spouse and offer him/her a chance to participate in the review process.
6. In preparing your statement, please be aware that the Tribunal keeps all information received in this study as confidential as possible within the confines of Church law. But understand that this law allows that both parties at least be made aware of the general allegations put forth by the other in reference to the marriage. This information is communicated only according to the discretion of the judge and with the intervention of the parties' advocates.
7. In submitting this application, keep in mind that there are **no civil effects** to a Church declaration. This process pertains to Church matters only.
8. Provisions of Church law, which must be observed, govern this judicial process. The average case takes approximately one year from the filing of the petition.

If you have any questions, do not hesitate to ask your parish priest, deacon, or parish director. You may also call one of the officials of the Tribunal at the number listed above. Please mail this completed petition to us at the address above.

Yours in Christ,

THE TRIBUNAL STAFF

PLEASE TYPE OR PRINT CLEARLY.

PETITIONER (YOUR INFORMATION)

Name: _____ (_____)
First Middle Last (Current) Maiden name, if applicable

Address: _____
Street City State Zip

Phone: _____ Home _____ Work _____ Private E-mail: _____

Date of birth: _____
City State

Baptism: _____
Church City State

Religion (at time of marriage): _____

Present Parish (if Catholic): _____

If you have changed religion, when did this occur? _____

Father: _____
Name Religion

_____ Street Address City State / Zip Phone

Mother: _____
Name Religion

_____ Street Address City State / Zip Phone

RESPONDENT (YOUR EX-SPOUSE'S INFORMATION — SOME TYPE OF CONTACT INFORMATION IS ABSOLUTELY NECESSARY)

Name: _____ (_____)
First Middle Last (Current) Maiden name, if applicable

Address: _____
Street City State Zip

Phone: _____ Home _____ Work _____ Private E-mail: _____

Date of birth: _____
City State

Baptism: _____
Church City State

Religion (at time of marriage): _____

Present Parish (if Catholic): _____

If he/she has changed religion, when did this occur? _____

Father: _____
Name Religion

_____ Street Address City State / Zip Phone

Mother: _____
Name Religion

_____ Street Address City State / Zip Phone

HAVE YOU APPROACHED ANY PARISH OFFICIAL FOR ASSISTANCE IN THIS APPLICATION? Yes No
IF SO, WHO?

Name: _____ Parish: _____

Phone: _____ E-mail: _____

MARRIAGE

Wedding: _____
Date Name of Church or other location

Officiant City State

If either party was Catholic, did this marriage take place outside the Catholic Church? Yes No

If so, was there a Catholic Ceremony later? Yes No

_____ Date

Officiant Church City State

CHILDREN BORN OR ADOPTED IN THIS MARRIAGE

Number: _____
How many? Birthdates

DIVORCE

Civil Dissolution: _____
Date County and State

Grounds cited in civil divorce: _____

BRIEFLY ANSWER EACH OF THE FOLLOWING QUESTIONS WITH TWO OR THREE SENTENCES.
THE INFORMATION YOU PROVIDE HERE IS USED FOR THE INITIAL EVALUATION OF YOUR CASE.
YOUR HEARING AT THE TRIBUNAL WILL PROVIDE AN OPPORTUNITY FOR YOU TO GIVE MORE DETAILS.

INTRODUCTORY QUESTIONS

1. Was this your first marriage? (Whether in church, civilly, or by common law.)
Was it your spouse's first marriage? (Whether in church, civilly, or by common law.)
If not, please list any other marriages, including wedding date and religion of each former spouse.

2. After reviewing the booklet you received (entitled "Declaring a Marriage Invalid"), which of the grounds for invalidity (listed on page 6) do you see as applying to your case? Why?

e. Describe any conditions either of you might have required to get married or to stay in the marriage.
(For example: "I'll marry you only if.....")

f. Describe the attitude each of you had toward having children in the marriage.

3. Wedding: Ages on day of the wedding — Petitioner _____ Respondent _____
Describe anything unusual or abnormal that happened on the wedding day.

4. Marriage:

a. When did problems begin in the marriage?

b. What were the problems and what caused them?

5. Separation:

a. Explain any separations before the final one (with appropriate dates). Why did you get back together each time?

b. When (month and year) and why did the final separation occur?

6. Conclusion:

a. Are all moral and civil obligations, including child support, being met by both of you?
If not, describe briefly.

b. Did you tell your former spouse about your plan to ask for this Church process?
If so, how did he/she react?

COUNSELING

If there were any attempts at marital or psychological counseling, please give the names and addresses of the counselors or therapists. The opinions and observations of counselors may be helpful in our deliberations. If so, you will be asked to sign a release for these records.

WITNESSES

A marriage nullity case cannot be processed without witnesses. Please list a **minimum of three witnesses** whom you feel would have valuable information about your marriage and are willing to substantiate your testimony. Please contact each person you name and inform them that they will be contacted by the Tribunal by mail.

For each witness, indicate whether a relative (i.e. mother, brother, sister-in-law), friend, or acquaintance of the petitioner or respondent.

1. _____ Name	2. _____ Name
_____ Street Address	_____ Street Address
_____ City State / Zip	_____ City State / Zip
_____ Relationship	_____ Relationship
3. _____ Name	4. _____ Name
_____ Street Address	_____ Street Address
_____ City State / Zip	_____ City State / Zip
_____ Relationship	_____ Relationship

OTHER EVIDENCE

Include with your application any other pertinent evidence to support your petition. These should include letters, police reports, videotapes of the wedding day, or any other documents.

COPIES OF THE CIVIL MARRIAGE CERTIFICATE AND DIVORCE DECREE MUST ACCOMPANY THIS APPLICATION.

SPECIAL REQUESTS OR INSTRUCTIONS

Are there any considerations that you would like the Tribunal to take into account as this process is begun?
(For example: confidentiality of present address, special appointment times, need for translators, etc.)

PLEASE READ THE FOLLOWING PETITION CAREFULLY AND COMPLETELY.
BY SIGNING THIS DOCUMENT YOU ARE CONSENTING TO ALL ITS CONTENTS.
WHEN THIS PETITION, AND ALL ACCOMPANYING DOCUMENTS, ARE RECEIVED
BY THE METROPOLITAN TRIBUNAL, THE PROCESSING OF YOUR CASE CAN BEGIN.

FORMAL PETITION

After careful thought and reflection, and after reviewing the materials provided to me,

I believe that my marriage to _____ (the Respondent) is invalid insofar as the Catholic Church understands marriage. I, therefore, petition the Tribunal of the Archdiocese of Milwaukee to declare the invalidity of that marriage.

I contend that the marriage is invalid as a result of a defect in the consent of either the Respondent or myself. In support of this contention I offer the testimony that I will give, as well as that of witnesses I have named in this application and other relevant evidence that may come to light.

The addresses of both the Respondent and myself are given on this application.

By virtue of my signature affixed below:

- I agree to whomsoever the Tribunal may appoint as my Procurator-Advocate and authorize him/her to do all that is necessary in my interest.
- I understand that my former spouse may be made aware of the general content of my application and that my former spouse may also be allowed to exercise the right, provided in Church law, to review my testimony.
- I understand that professional counseling or special instructions may be mandated before permission to remarry will be granted. I further understand that all financial obligations imposed on me by the civil courts toward my former spouse and children, if any, must be current before I can remarry.
- **I understand that I may not set a date for any future marriage** until, and only if, a declaration of nullity, without restriction, is given. I understand that no priest, deacon, or parish director may provide me with even a tentative date for a future wedding in the Catholic Church until this process has been completed.
- I understand that **I will be assessed a processing fee** for the handling of this case regardless of its outcome. If necessary, I will make appropriate arrangements with the Judicial Vicar in light of my circumstances.

I testify that I am presenting this case in good faith and I am fully committed to this process. The statements in this application are true and complete. I agree to cooperate fully with the Tribunal and to be bound by the policies established by that Office in accordance with the law of the Church.

Date

Signature of the Petitioner