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**Archdiocese of Los Angeles**

The Metropolitan Tribunal  
3424 Wilshire Boulevard  
Los Angeles, California 90010-2241

Tel: (213) 637-7245  
Fax: (213) 637-6245  
Marriagetribunal@la-archdiocese.org

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Dear Petitioner,

You are to be commended for taking this first step in clarifying your marital status in the Catholic Church. We hope that this process will be a time of healing and spiritual growth.

The Catholic Church believes that marriage is sacred and that it affects the family, the society and the Church. The Church law states that: *"The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life, and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a sacrament between the baptized."*(Canon 1055). This teaching forms the basis of the Tribunal's investigation.

There is no divorce in the Catholic Church. Every marriage, whether sacramental or not, is presumed valid until proven otherwise, and it is supposed to be for life. Unfortunately, divorce is a reality of our society. Divorce is always difficult both for the parties and for the children, and it can affect one's relationship with the sacramental life of the Church particularly when the person remarries civilly. Because of this, all Catholics and any other persons whose marriages have ended in divorce, and now desire to marry in the Catholic Church have the right to ask the Church (ordinarily through the Tribunal) to investigate the possibility of the nullity of their marriages.

The Tribunal is composed of specially trained priests, deacons, sisters and lay persons appointed by the Archbishop of Los Angeles who will make a determination of your current marital status and your eligibility to marry in the Catholic Church. The Tribunal's first and primary goal is to minister to you and the Respondent during this process.

In general, a Declaration of Marriage Nullity may be granted only by the Tribunal if it can be shown through a formal inquiry that, **at the time of consent**, at least one of the parties lacked an intention or capability required to establish a binding marital commitment as understood by the Catholic Church. If nullity is declared, both parties would be free to enter another marriage in the Catholic Church, if they choose to do so. This declaration does not deny that a real relationship existed, nor does it imply that the relationship was entered with ill will or moral fault. It does not seek to place blame or establish guilt.

A Declaration of Marriage Nullity in the Catholic Church **does not affect the legitimacy of any children** of the marriage and has **no consequences whatsoever in civil law**.

The following instructions and forms will serve as an aid to assist you to better understand the Marriage Nullity process and to complete the petition.

We look forward to assisting you. Meanwhile may God be with you in your journey of faith.

Sincerely yours in Christ,

Father Reynaldo B. Matunog, J.C.L.  
Judicial Vicar

*Effective October 22, 2019*



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## ***GUIDELINES TO ASSIST THE PETITIONER SUBMITTING A MARRIAGE NULLITY PETITION OR PROCESS***

### ***WHERE TO BEGIN***

#### **In the Parish:**

The party presenting the petition for a declaration of nullity of marriage is called the ***Petitioner***. The other party is called the ***Respondent***. Church law and justice demand that the Respondent be contacted and given the opportunity to participate in the process. 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 small fee. If this information cannot be provided, a summary of the efforts that were made to locate the Respondent must be included on a separate sheet. The Tribunal will then determine if the case can proceed without the Respondent's address.

A priest, deacon or specially trained religious or layperson in the parish will provide assistance to the Petitioner in preparing the petition. This person is called the ***parish submitting minister***. Upon setting an appointment with this designated person, the Petitioner will be given the proper forms to begin the process. The Petitioner may be asked to take the forms home and answer the questions completely, trying to provide an accurate picture of what occurred ***prior to and during the marriage***. Once the Petitioner has answered all the questions to the best of his/her ability, it is advisable to set them aside for a couple of days, so that if further additions come to mind, these may be added.

### ***THE PRELIMINARY FORMS***

#### **The Petition for a Declaration of Marriage Nullity ("Libellus"):**

Through the Petition for a Declaration of Marriage Nullity, also known as a "Libellus," the Petitioner asks the Tribunal to examine the status of his/her marriage in light of the teachings of the Catholic Church.

#### **Preliminary Data and Petitioner's Narrative**

This section is basically an interview on paper. The Petitioner's testimony should present a comprehensive description of his/her background, the parties' courtship, the marriage and the separation.

**As a pastoral practice, the Tribunal will not accept or process a petition for Marriage Nullity before a final civil divorce decree has been issued as well as when there is an on going civil litigation between the two parties.**



### Required Documents:

The following documents must accompany the petition. The unexplained absence of these documents will prevent the opening of the case.

1. Petitioner's **Baptismal Certificate** (If baptized)
2. **Marriage Certificate (Church and/or Civil License)**
3. **Final Civil Decree of Divorce**
4. **Other pertinent documents or reports that may serve as evidence** (e.g. medical or police reports, etc.).

### Witness Sheet:

Since marriage takes place in the context of a community, other persons will be asked to provide the Court with information from their vantage point (**witness testimony**). These witnesses will be contacted by the Tribunal, and asked to complete a short questionnaire, first in writing and if necessary, by phone interview. In order to have a clear picture of both parties and of the marriage, if possible, witnesses should be persons who knew the Petitioner and/or the Respondent before the marriage or early in the marriage and who may have knowledge of family backgrounds, childhood or marital situations. It is recommended to include witnesses from the Petitioner's side and from the Respondent's side. Complete current names, addresses and phone numbers of proposed witnesses are required. The names of the witnesses (but not other personal information) may be given to the Respondent. We ask that the Petitioner personally contact all persons prior to listing them as witnesses to insure that they are willing to cooperate. One of the biggest delays in the annulment process is caused by the failure of witnesses to respond.

Ordinarily parents and siblings are good witnesses; however, in general, children of the union are not used as witnesses.

### Counseling Reports:

When either the Petitioner or the Respondent has seen a counselor, psychologist or psychiatrist, prior to or during the marriage, the Tribunal may ask the Petitioner to obtain a confidential summary from these individuals or institutions. The Petitioner will be advised if this step is necessary.

### Fees:

In the introduction to his recent Motu proprio, *Mitis Iudex Dominus Iesus*, Pope Francis addresses the issue of tribunal fees:

VI. [...] Together with the judges who are more directly involved, the Conference of Bishops is to strive **as much as possible, without prejudice to a just and honest payment to the tribunal personnel, that the procedure be conducted without fees**, *[emphasis added]* and that the Church showing itself to the faithful to being a generous mother, in such matters which are so closely united to the salvation of souls, also show to others Christ's gratuitous love by which we have all been saved.



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A few dioceses have been able to cover the entire cost of running their tribunal from their general budget. Most dioceses, however, rely at least in part on some payment from the petitioners themselves. For many years more than two-thirds of the operating cost of the Tribunal of the Archdiocese of Los Angeles has been subsidized from the general funds of the Archdiocese. It should be noted that the Tribunal fees have remained the same since 2002. After considering the needs of all the charitable works of the Archdiocese and the limited funds available, Archbishop Gomez has decided it is necessary to maintain the present fee schedule for Tribunal cases. **However, inability to meet these expenses is never a cause for refusing to accept and process a petition. Should the Petitioner anticipate difficulties in this regard, he/she may have his/her parish priest contact this office.**

**Basic fee for cases submitted: \$500, including a non-refundable \$100 filing fee.** The Petitioner may pay the entire \$500 fee or make a \$100 initial payment. The balance of \$400 is due and payable upon the completion of the case. This obligation may be met on an installment basis, in amounts suitable to the Petitioner. **Please make check payable to Archdiocese of Los Angeles-Tribunal.**

**- Payments may also be made on-line on the Tribunal website:**

[www.la-archdiocese.org/org/tribunal](http://www.la-archdiocese.org/org/tribunal)

If the Tribunal judge determines in the court proceeding that a psychological evaluation of a party is necessary, an additional \$300 fee may be required.

### ***SUBMITTING THE PETITION***

The Petitioner, together with the parish submitting minister, must review thoroughly the petition and sign in all the applicable places. The parish submitting minister will assist the Petitioner with any questions he/she may have. The petition and supporting documents will then be mailed to the Tribunal.

**The Petitioner must keep a copy of the petition and all documents he/she submitted.**

### **Review by the Presiding Judge:**

Once the petition is received and accepted by the Tribunal, the Presiding Judge assigned to the case reviews the information submitted, determines possible grounds to be investigated, and what other information may be required.

### **Citation:**

The Petitioner and the Respondent will be notified by letter of the Tribunal's official acceptance of the petition. The Respondent is invited to participate in this process to the extent he/she wishes and is provided a copy of the "Libellus" page (see pages 7 and 14) only. The Petitioner should be aware that any information provided on that page will be sent to the Respondent.



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The citation letters indicate the petition's Case Name and Case Number (Protocol Number). It is necessary to have this information available whenever the Petitioner contacts the Tribunal so that our staff can quickly locate the file and refer him/her to the proper case coordinator at the Tribunal.

### **The Grounds:**

The proposed grounds for the investigation are the canonical grounds that are determined by the Court using Catholic Church law and **do not pertain to civil law**. The grounds must be some defect or incapacity in the marital consent of one or both of the parties, or some canonical requirement or impediment which had not been properly dispensed for a Catholic spouse.

### ***CONCLUSION OF THE CASE***

### **Decision Process:**

After the testimony is gathered, the case is reviewed by the Presiding Judge to determine if there is sufficient information to bring the case to completion. At that time both parties are notified by letter that the case is nearing conclusion and they have a final opportunity to submit any additional information and to read the Acts of the Case [that is, all testimony pertinent to the grounds being considered]. This must be done within 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 bond of marriage. Once these comments are received, the Presiding Judge reviews the entire file and renders a decision. Both parties are then notified of the decision. If there is no appeal lodged within 15 business days from the date of the notification of the decision, the Sentence becomes executory and final.

### **Appeals:**

The Petitioner and/or the Respondent, who consider him/herself aggrieved, as well as the Defender of the Bond, have the right to appeal the decision of the Court of First Instance of the Archdiocese of Los Angeles to the Court of Second Instance of the Diocese of Orange. The parties may also appeal directly to the Supreme Tribunal of the Roman Rota.

### **Restrictions/*Vetitum*:**

If the Tribunal is concerned that the difficulties which contributed to the nullity of the marriage may remain unresolved, the Presiding Judge may require specific action before another marriage in the Catholic Church can take place. If the Presiding Judge considers that these difficulties could impact on a future relationship, a restriction [*vetitum*] will be added to the final declaration of nullity. This may apply to the Petitioner, the Respondent or both parties. This is intended to help (not punish) the party so that he/she does not end up in a similar situation in a new marriage. Those with a restriction may be required to have a counselor's evaluation and possibly time-limited counseling. This assessment or counseling is performed by professionals to assist the Court in resolving any doubts concerning the person's readiness to enter into a future marriage in the Catholic Church. **This restriction must be lifted by the Judicial Vicar before a priest/deacon can proceed with wedding plans.**



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### **Time Frame:**

Each Marriage Nullity case has its own unique circumstances, therefore a definite time frame cannot be guaranteed. The time involved is governed by requirements of canon law and by the cooperation of the principal parties and their witnesses in providing sufficient testimony. The Tribunal strives to complete each case in a timely manner and in accord with canon law. That being said, cases in this Tribunal are normally completed within one and a half years from the date of acceptance by the Tribunal. Incomplete information or a delay in submitting testimony can often prolong the process. The Tribunal will notify you if additional witnesses or information are needed.

**It is important to notify the Tribunal of any changes in the addresses submitted for the principal parties or witnesses.**

### **Status Inquiries:**

The Tribunal staff is available to answer questions regarding a case or the process in general. **For reasons of confidentiality the specifics of any case can be discussed only with the Petitioner or the Respondent.** The Petitioner or Respondent can contact the Tribunal by mail or email at any time, or by phone Monday through Friday, 9:00 a.m. – 5:00 p.m. Voice messages can be left at any time and a member of our staff will return the call as soon as possible.



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*For Tribunal Only*

Case Name: \_\_\_\_\_

Prot. No.: \_\_\_\_\_

**PETITION FOR MARRIAGE NULLITY (LIBELLUS)**

**PETITIONER**

**Name:** (Maiden Name if applicable) \_\_\_\_\_

**Currently Residing in the (Arch) Diocese of** \_\_\_\_\_  
**Country** \_\_\_\_\_

**OTHER PARTY (RESPONDENT)**

**Name:** (Maiden Name if applicable) \_\_\_\_\_

**Currently Residing in the (Arch) Diocese of** \_\_\_\_\_  
**Country** \_\_\_\_\_

**MARRIAGE**

**Date:** \_\_\_\_\_ **Place:** \_\_\_\_\_

**DIVORCE**

**Date:** \_\_\_\_\_ **Place:** \_\_\_\_\_

Is there any possibility of reunion between you and the Respondent?  **Yes**  **No**

As a party to this marriage, I hereby request the Metropolitan Tribunal of the **ARCHDIOCESE OF LOS ANGELES** to evaluate this marriage in light of the beliefs and teachings of the Roman Catholic Church. I believe that the above-listed marriage is not binding unto death for the following reasons:  
*(Write your response to this in **Item K, on page 14**. Remember that your statement will be sent to the Respondent together with this libellus page.)*

In support of this petition I am providing the following information: (Please check the applicable box.)

- Marriage License and/or Church Certificate
- Final Civil Divorce Decree
- Baptismal Certificate (if Catholic)
- Witnesses
- Other (please specify below) \_\_\_\_\_  
 \_\_\_\_\_

**I UNDERSTAND THAT THE RESPONDENT WILL BE SUPPLIED A COPY OF THIS LIBELLUS page.**

I have provided a list of witnesses to the Tribunal and I am available to offer my own deposition and other proofs as may be legitimately requested.

\_\_\_\_\_  
**Petitioner's Signature**

\_\_\_\_\_  
**Date**



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**PRELIMINARY DATA (PLEASE TYPE OR PRINT ALL INFORMATION CLEARLY)**

PETITIONER INFORMATION					
Last Name:		First Name:		Middle Name:	
Maiden Name, if a woman:					
Home Address:					
Home Phone	Cell Phone	Work Phone	Preferred Contact (check one)		
			Home	Cell	Work
Email Address					
Date of Birth	Place of Birth:		Ethnic Origin:		
	Primary Language:				
Date of Baptism	Church of Baptism (for notification of final decision):				
	City, State, Country:				
Number of siblings:		Your place in the birth order:			
Education level at time of wedding:					
Occupation at time of wedding:					
Number of marriages before this one:			Number of marriages after this one:		
Religion at the time of the wedding:			Present Religion:		
Are you currently enrolled in RCIA?			Is your (intended) spouse enrolled in RCIA?		
Are you presently engaged to be married?					



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<b>RESPONDENT INFORMATION</b>					
Last Name:		First Name:		Middle Name:	
Maiden Name, if a woman:					
Home Address:					
Home Phone		Cell Phone	Work Phone		Preferred Contact (if known)
					Home    Cell    Work
Email Address					
Date of Birth		Place of Birth:		Ethnic Origin:	
		Primary Language:			
Date of Baptism		Church of Baptism (for notification of final decision):			
		City, State, Country:			
Number of siblings:			Respondent's place in the birth order:		
Education level at time of wedding:					
Occupation at time of wedding:					
Number of marriages before this one:			Number of marriages after this one:		
Religion at the time of the wedding:			Present Religion:		



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COURTSHIP, MARRIAGE AND FAMILY LIFE			
When did you meet?			
When did you begin to date?	Your Age:	Respondent's Age:	
Approximate date of engagement (month/year):		Length of engagement:	
Date of Church wedding:	Your Age:	Respondent's Age:	
Place of Church wedding (Name of Church, City, State, Country):			
Was there a civil wedding?	Date:	Your Age:	Respondent's Age:
Did you live together before you married?		If yes, how long?	
Was there a prenuptial agreement?		<i>If "yes", please attach a copy to this application</i>	
Did you have children together?			
	Date of birth	Name of child	
1			
2			
3			
4			
5			
6			
Were there any children from a previous relationship?			
Were there any miscarriages during the marriage?			
Were there any abortions during the marriage?			
Were there any separations during the marriage?		If yes, date(s):	
Date of the final separation:			
Date of the final civil decree of divorce or annulment:			
County and State issuing the civil divorce decree:			
Who has custody of the children? ( <i>check one, if applicable</i> )		You:	Respondent:      Joint:
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.):			



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**WITNESS NAMES AND INFORMATION**

Please give the requested information for three or more people who knew you and the Respondent **before and during your marriage**. You may choose witnesses from among parents, brothers, sisters, friends or other family members. Ordinarily parents and siblings are good witnesses; however, in general, children of the union are not used as witnesses.

Be sure to contact these people and ask for their cooperation before submitting their names to the Tribunal. PLEASE TYPE OR PRINT ALL INFORMATION CLEARLY. (*You may copy this page if you need more space to add witnesses.*)

<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Dr. <input type="checkbox"/> Other: _____	Relationship:
Name (First/Last) :	Phone (cell):
Address :	Phone (home):
City/State/Zip :	Email:
Language of Preference: <input type="checkbox"/> Spanish <input type="checkbox"/> English <input type="checkbox"/> Other: _____	Country (if outside USA) _____

<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Dr. <input type="checkbox"/> Other: _____	Relationship:
Name (First/Last) :	Phone (cell):
Address :	Phone (home):
City/State/Zip :	Email:
Language of Preference: <input type="checkbox"/> Spanish <input type="checkbox"/> English <input type="checkbox"/> Other: _____	Country (if outside USA) _____

<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Dr. <input type="checkbox"/> Other: _____	Relationship:
Name (First/Last) :	Phone (cell):
Address :	Phone (home):
City/State/Zip :	Email:
Language of Preference: <input type="checkbox"/> Spanish <input type="checkbox"/> English <input type="checkbox"/> Other: _____	Country (if outside USA) _____

<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Dr. <input type="checkbox"/> Other: _____	Relationship:
Name (First/Last) :	Phone (cell):
Address :	Phone (home):
City/State/Zip :	Email:
Language of Preference: <input type="checkbox"/> Spanish <input type="checkbox"/> English <input type="checkbox"/> Other: _____	Country (if outside USA) _____



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**PETITIONER'S ASSESSMENT OF THE PARTIES' MARITAL ATTITUDES**

At the time of the wedding, people have different attitudes and beliefs about what marriage means, as well as various abilities. The following statements are designed to help the Tribunal gain a better understanding of your abilities, attitudes and beliefs and those of the Respondent.

Please review each of the statements about your wedding and check the boxes that apply to you and/or the Respondent [Resp.]. These items refer to PRINCIPAL or MAJOR traits that you and the Respondent brought into the marriage. In any given section, you may **check one box, several boxes or no box. There are no "right" or "wrong" answers.**

**You   Resp.**

**A. At the time of our wedding, one or both of us:**

- 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;
- did not realistically consider 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.

**B. At the time of our wedding, one or both of us:**

- 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, alcohol, drugs, etc.);
- expressed, experienced or denied difficulties with sexual orientation.

**C. At the time of our wedding, one or both of us:**

- 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. \_\_\_\_\_
- did not intend to assume any permanent responsibilities toward the other person;



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**You   Resp.**

**D. At the time of our wedding, one or both of us:**

- 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.

**E. At the time of our wedding, one or both of us:**

- 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.

**F. At the time of our wedding, one or both of us:**

- was convinced that divorce was acceptable if the marriage would prove to be unsuccessful and unhappy.

**G. At the time of our wedding, one or both of us:**

- 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.

**H. At the time of our wedding, one or both of us:**

- 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 was 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.

**I. At the time of our wedding, one or both of us:**

- 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.

**J. At the time of our wedding, one or both of us:**

- 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.



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**K. Why do you think this marriage was invalid from the very beginning?**

**PLEASE NOTE: *Your statement here will be attached to the Petition/Libellus page (see page 7) and will be sent to the Respondent.***

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## **PETITIONER'S NARRATIVE**

### **PLEASE READ THE FOLLOWING BEFORE CONTINUING:**

This part of the application provides insight into you and the Respondent, 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 may apply to you and your marriage. **KINDLY WRITE YOUR RESPONSES IN A SEPARATE PAPER. There is no need to write a lengthy autobiography. A direct and focused response helps to avoid delays in the proceedings.**

### **PLEASE WRITE/TYPE**

#### **INFORMATION CONCERNING THE PARTIES BEFORE THE MARRIAGE**

##### Family of Origin

1. Describe your parents' marital relationship (for example, the character of each parent and who was the dominant figure in the home).
2. Were there any particular issues concerning your parents and/or siblings that had a strong effect on you (for example: drinking, drug use, infidelity, separations and divorces, early death, mental illness or physical disability)? If so, please explain.
3. How did relationships and issues in the family affect you growing up (for example: your sense of responsibility, sensitivity to needs of others, temperament, anger management, jealousy, selfishness, judgment, etc.)?

##### Yourself

4. Describe any significant events or issues related to your school life, religious upbringing, and friendships.
5. Describe previous significant relationships that may have affected your adult and married life (dating history, rebound, infidelity, premarital sex, abortions and miscarriages, etc.).
6. Describe the nature of your employment and/or professional career, and any significant events or issues.
7. Were there any struggles or difficulties you experienced before or during your marriage, with gambling, drugs, alcohol, or pornography. Were there any addictions or legal issues? If so, please explain. How were these issues addressed?
8. Were there any physical and/or psychological issues that may have affected your relationships before or during your marriage? If so, please explain. Did you seek professional help?



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Regarding the Respondent

9. Describe any significant events or issues related to the Respondent's family of origin, school life, religious upbringing, and friendships.
10. Describe previous significant relationships that may have affected the Respondent's adult and married life (dating history, rebound, infidelity, premarital sex, abortions and miscarriages, etc.).
11. Describe the nature of the Respondent's employment and/or professional career, and any significant events or issues.
12. Were there any struggles or difficulties the Respondent experienced before or during the marriage, with gambling, drugs, alcohol or pornography. Were there any addictions or legal issues? If so, please explain. How were these issues addressed?
13. Were there any physical and/or psychological issues that may have affected the Respondent's relationships before or during your marriage? If so, please explain. Did the Respondent seek professional help?

COURTSHIP

14. Describe how you met and any significant events that occurred or issues that arose while you were dating. Were there any breakups or separations?
15. Was there unusual pressure to marry (a difficult home situation, premarital sex, pregnancy, immigration status, etc.), or were there any doubts or reservations that arose prior to the wedding? How was this resolved?
16. What was the reaction of family and friends while you were dating and during your engagement?

WEDDING

17. Describe the attitude of you and the Respondent at the wedding and reception. Did any unusual events take place on your wedding day?
18. Describe your experience during the honeymoon, if applicable.

MARRIED LIFE

19. What was the quality of your communication during the entire marriage?
20. Were there any instances of physical or emotional mistreatment/abuse? If so, please explain. When did problems arise and over what? (for example: family interference, physical or emotional mistreatment/abuse, addictions, infidelity, children, etc.)

PROFESSIONAL COUNSELLING

21. Did you and/or the Respondent seek marriage counselling? Please explain.

FINAL SEPARATION

22. What was the cause of the final separation? Were there any earlier separations? If so, please explain.



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**CONCLUSION**

23. Are there any other facts or circumstances concerning the marriage that you believe are relevant to the evaluation of your petition? Please explain your statement and provide relevant background and examples that might give Tribunal personnel greater insight.

**PLEASE ATTACH THE SIGNATURE PAGE (see Page 21) AND RETURN/SUBMIT YOUR RESPONSES FROM PAGES 7-21 TOGETHER WITH THE REQUIRED DOCUMENTS TO YOUR PARISH SUBMITTING MINISTER.**



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## TRIBUNAL PRACTICES AND POLICIES

### **AGREEMENT OF UNDERSTANDING**

The primary purpose of the Tribunal is to gather, review and evaluate 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, the Tribunal is required to presume each marriage is valid, and that the Petitioner and the Respondent both meant what they said and accomplished what they intended when they first exchanged vows, until it is proven otherwise.

Declarations of Marriage Nullity are not favors given to innocent or deserving parties. Judges must have moral certitude, based on the available evidence, that the parties' union was missing at least one of the essential elements of 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 Marriage Nullity, the Petitioner is asking that his/her marital status be reviewed 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 following statements delineate Tribunal practices and policies, and by the Petitioner initialing them, he/she indicates his/her understanding and agreement to abide by them.**

### **CONCERNING CONFIDENTIALITY**

\_\_\_\_\_ I understand that 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 the investigation is considered confidential and the exclusive property of the person submitting the pertinent information and the Tribunal of the Archdiocese of Los Angeles. However, pursuant to California Penal Code Sections 11164-11174.3 and the Policies of the Archdiocese of Los Angeles, all reports of abuse or neglect of children as described in the above code as well as in the Archdiocesan policies will be reported to the proper authorities.

\_\_\_\_\_ I understand that Church Law requires that the information gathered in this process, with the exception of that which the judge decides otherwise, be made available for inspection by the Petitioner, the Respondent, and the officers of this Tribunal and the properly designated ecclesiastical Appellate Tribunals.

\_\_\_\_\_ I understand that none of the information gathered in this process is ever made available to the witnesses or anyone acting on their behalf, other than that which they themselves give.

\_\_\_\_\_ I understand that in accord with applicable standards of professional accountability, reports from psychological counselors are always withheld from the Petitioner and the Respondent. For serious reason (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 the canon law of the Catholic Church.



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**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 Petitioners to inform Respondents in advance of filing their petition, as experience shows they tend to be more cooperative.

**CONCERNING THE WITNESSES**

- \_\_\_\_\_ I understand that 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 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 Marriage Nullity).
- \_\_\_\_\_ I understand that no assurance can be given as to a definite time for the completion of the Tribunal process.
- \_\_\_\_\_ I understand that if I am in the RCIA, no assurance can be given that my case will be completed in time for the reception of the Sacraments of Initiation at the upcoming Easter Liturgy.
- \_\_\_\_\_ I understand that the Tribunal may require that I attend one session with a court approved psychologist 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 should the Tribunal of the Archdiocese of Los Angeles issue either an affirmative or negative decision in my case, either party or the Defender of the Bond retains the right to appeal the decision within 15 days of notification of the decision.
- \_\_\_\_\_ 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 the sentence has been executed. [The sentence becomes executed after fifteen days if there is no appeal.]
- \_\_\_\_\_ 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. All expenses in connection with such therapy or counsel are my responsibility.
- \_\_\_\_\_ I understand that a Declaration of Nullity in the Catholic Church does not affect the legitimacy of any children of the marriage and has no consequences whatsoever in civil law.



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**MANDATE FOR THE PROCURATOR/ADVOCATE WAIVER OF THE PETITIONER**

- \_\_\_ By means of this document, I agree to whomever the Tribunals of first and second instance select to act as 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 of Marriage Nullity has no effect in civil law in the United States or any one of its fifty States, the District of Columbia 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**

**I, the Petitioner, hereby attest that I have read the policy statement, do clearly understand it, and fully agree to abide by all of its terms.**

At this time I agree to produce the necessary documents, proofs, and witnesses.

I also understand that I am responsible for the listed charges in court fees:

- \_\_\_ **Petitioner’s Baptismal Certificate** (if baptized)
- \_\_\_ **Marriage Certificate** (Church and/or Civil License)
- \_\_\_ **Final Civil Decree of Divorce**
- \_\_\_ **Other pertinent documents or reports that may serve as evidence** (e.g. medical or police reports, etc.)
- \_\_\_ **\$100 Filing Fee (Non-Refundable) – Please make check payable to Archdiocese of Los Angeles—Tribunal. – Payments may also be made on-line on the Tribunal website. [www.la-archdiocese.org/org/tribunal](http://www.la-archdiocese.org/org/tribunal)**
- \_\_\_ **Final Fees for the case (due at conclusion of the process)**
- \_\_\_ **I am aware that an incomplete petition or missing documents will delay the process.**



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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 WAIVER AND INITIALED STATEMENTS, AND
- D. THAT MY ATTACHED RESPONSES, ALL THE INFORMATION AND DOCUMENTS PROVIDED ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

\_\_\_\_\_  
*Petitioner's Signature*

\_\_\_\_\_  
*Date*

***The Petitioner has signed the above in my presence on this date. I have read the statement and recommend this case to the Tribunal.***

\_\_\_\_\_  
*Signature of Priest/Deacon/Parish Minister*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Parish Name*

\_\_\_\_\_  
*Parish City/State/Zip*

[Parish Seal]

**FOR TRIBUNAL USE ONLY**

Date Received at this Tribunal: _____	Notary's Name: _____
Filing Fee Received (\$100): Yes / No	Check No.: _____
Filing Fee Received (other): _____	Check No.: _____
	Paid on-line:      Tracking: _____



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**RECOMMENDATION OF THE PARISH SUBMITTING MINISTER: CLERGY & LAY PERSON**

1. How long and how well have you known the Petitioner? Please give your assessment of the Petitioner’s credibility or sincerity of character.
2. How has the Petitioner worked through the breakup of the marriage in question?
3. Are you aware of any potential difficulty the Petitioner or an intended spouse might have (financial, illness, or addiction) or possible scandal that this case may bring? If, yes, please explain...
4. It is expected that the Petitioner will inform the Respondent of this petition. If the Petitioner is unwilling or unable to contact the Respondent, please explain.
5. Does the Petitioner have other marriages that need to be addressed? If so, has the Petitioner submitted another case with this one?
6. If the Petitioner has remarried civilly or intends to re-marry, is the present or intended spouse free to marry in the Church?

Present/Intended Spouse: (check the appropriate option)

- Is free to marry and has never been married before;
- Needs to apply for an annulment, Lack of Canonical Form or other canonical process.

I, the undersigned submitting clergy or parish representative, verify that the information given above is correct and the necessary documents are included.

I acknowledge having informed the Petitioner that no wedding date or plan should be made for a future marriage in the Church until the final decision of the Tribunal has been made.

<b><i>Signature of Submitting Minister</i></b>	<b><i>Date</i></b>
PRINT Name _____	Email: _____
Parish _____	Best Phone: _____
Address _____	Parish Phone: _____
City, State, Zip _____	

<b><i>Signature of Pastor (Required if the Submitting Minister is not a priest.)</i></b>	<b><i>Date</i></b>
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