



# Archdiocese of San Antonio

Metropolitan Tribunal  
2718 W. Woodlawn Ave.  
San Antonio, Texas 78228

(210)-734-1661 Fax: (210) 734-1987  
tribunal@archsa.org  
www.archsa.org/tribunal

\*\*\* PLEASE MAKE COPIES OF ALL PAPERWORK BEFORE SUBMITTING TO THE TRIBUNAL. \*\*\*

## LIBELLUS

I, \_\_\_\_\_, residing  
[PRINT FULL NAME. If female, use MAIDEN NAME.]

at \_\_\_\_\_,  
[COMPLETE MAILNG ADDRESS]

hereby petition the Tribunal of the Archdiocese of San Antonio to declare invalid, under  
the provisions of ecclesiastical law, my marriage to

\_\_\_\_\_, who resides  
[PRINT FULL NAME. If female, use MAIDEN NAME.]

at \_\_\_\_\_.  
[COMPLETE ADDRESS]

I entered this marriage \_\_\_\_\_,  
[MM DD, YYYY, the date when you were married]

at \_\_\_\_\_, in \_\_\_\_\_,  
[PLACE OF MARRIAGE, e.g., St. Paul] [CITY, STATE, ZIP and, if necessary, COUNTRY]

As one of the parties to this marriage, I claim the right, under the provision of Canon 1674, to impugn  
the validity of the union. I contend that this marriage was invalid under ecclesiastical law  
on the grounds of:

FOR MORE INFORMATION ON GROUNDS OF NULLITY, SEE APPENDIX I.

- |  |   |
|--|---|
| <input type="checkbox"/> Ligamen: Prior Bond of Marriage (c. 1085.1)   | <input type="checkbox"/> Partial or Total Simulation (c. 1101.2), including Exclusions of the Good of the Spouse, Fidelity, Children or the Education of Children or Perpetuity |
| <input type="checkbox"/> Lack of Due Reason (c. 1095.1)  | <input type="checkbox"/> Conditioned Consent (c. 1102)  |
| <input type="checkbox"/> Lack of Due Discretion (c.1095.2)   | <input type="checkbox"/> Force or Grave Fear (c. 1103)  |
| <input type="checkbox"/> Incapacity to Assume Essential Obligations of Marriage (c. 1095.3)                            | <input type="checkbox"/> Defect of Form (cc. 1108-1110)   |
| <input type="checkbox"/> Error of Quality of Person (1097.2)   | <input type="checkbox"/> Lack of Canonical Form (c. 1117)   |
| <input type="checkbox"/> Fraud/Imposed Error (c. 1098)   | <input type="checkbox"/> Other, please specify:   |
| <input type="checkbox"/> Error Determining the Will, regarding Unity, Indissolubility or Sacramental Dignity (c. 1099) |   |

[PLEASE CHECK ALL GROUNDS THAT YOU FEEL MAY APPLY.  
CHECK AT LEAST ONE.]

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

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

*Briefly describe why the grounds you selected on the previous page applies to your case.*

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**I recognize that the Tribunal can give me no assurance as to the length of time this process will take; that I cannot make any arrangements for future marriage (or convalidation of my present marriage) until an affirmative decision has been reached; and that the Tribunal, even if it judges that the marriage was invalid, may temporarily restrict permission for any future marriage, if it seems prudent to do so.**

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

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

\_\_\_\_\_  
**Ecclesiastical Notary**

.....  
*Reason for competence to question the validity of marriage (check all that apply)*

- Place where this marriage took place (c. 1672.1)
- (Arch)diocese where I live or where my former spouse lives (c. 1672.2)
- (Arch)diocese where most proofs (or witnesses) are (c. 1672.3)

*Reason for seeking this declaration of invalidity of marriage (check all that apply)*

- Peace of conscience
- Convalidate present marriage (To marry current civil wife/husband in the Catholic Church)
- Marry fiancé/fiancée in the Catholic Church
- For you or your fiancé/fiancée/civil spouse to enter the Catholic Church (RCIA)

.....  
**For Tribunal Use Only**

**Date Libellus Received** \_\_\_\_\_

**Date Petitioner's Testimony Received** \_\_\_\_\_

**Date Baptism, Marriage & Divorce Documents Received** \_\_\_\_\_

**Date Case Accepted** \_\_\_\_\_

### TRIBUNAL PRACTICES AND POLICIES

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 governed solely by the laws of the Roman Catholic Church and exclusively religious in nature. 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 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 for marriage as the Church teaches God intended it to be.

#### CONCERNING THE RESPONDENT (YOUR FORMER SPOUSE)

Church Law requires that your former spouse be contacted and offered the opportunity to testify. You agree to make every effort to provide contact information for your former spouse so that he/she can be contacted by the Tribunal to participate in the process. You yourself do not have to have any direct contact with your former spouse at any time during the process. However, 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

Witnesses are necessary to process your petition for a declaration of marriage nullity. You agree to make every effort to encourage their cooperation, but understand that you are in no way to assist them in preparing their testimony. You also understand that you are not to discuss the proceedings of the case or their testimony with your witnesses.

#### 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 the investigation is considered confidential. This information is never made available except as required by Church Law for inspection by the Petitioner, the Respondent, and the Officials (clergy, religious and lay) of this Court and the properly designated ecclesiastical Court of Appeals.

This information is never made available to the witnesses or anyone acting on their behalf. Nor is this information ever made available 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. For serious reason (such as the avoidance of defamation of character, physical danger, severe family discord, or true scandal) witnesses may ask that their identity or 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.

Also, as mandated reporters, we are required to report instances of suspected abuse to a child, elderly person, or a person with disabilities, or when someone threatens harm to oneself or others.

The Tribunal will never disclose one party's address, telephone number or email address to the other party.

**CONCERNING EXPENSES AND FEES**

While the Tribunal makes every effort to minimize costs, the processing of marriage nullity cases incurs significant expenses for salaries, postage, office equipment, etc; While 70% of the Marriage Tribunal’s expenses are subsidized by the Archdiocese of San Antonio, the Tribunal relies on the financial support of those who benefit from its ministry.

**IF YOU ARE ABLE, please submit \$100 as a deposit when you begin your case and an additional \$350 at the end of your case, for a total of \$450, to help defray costs related to your case.** Payment plans are also available. 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. If an expert is needed, the Tribunal will identify the cost and you will be asked to help defray that cost as well. **IF YOU ARE UNABLE to pay the full amount, we welcome any donation you can provide.**

**INABILITY TO PAY WILL NEVER AFFECT THE PROCESSING OR OUTCOME OF YOUR CASE.**  
**PLEASE DO NOT DELAY SUBMITTING YOUR PETITION BECAUSE OF FINANCES.**  
**PLEASE SUBMIT YOUR PETITION AS SOON AS IT IS READY, WITH OR WITHOUT PAYMENT.**

**CONCERNING THE DEVELOPMENT OF THE TRIAL AND PLANS FOR A FUTURE MARRIAGE**

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

- \_\_\_\_\_ I understand that my former spouse has the right to read my petition and testimony of my witnesses.
- \_\_\_\_\_ I understand that no assurance can be given of an Affirmative decision (that is, one granting a declaration in favor of nullity).
- \_\_\_\_\_ I understand that no assurance can be given as to a definite time for the completion of the Tribunal process.
- \_\_\_\_\_ 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 an affirmative decision has been issued.
- \_\_\_\_\_ Lastly, 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.

**MANDATE FOR THE ADVOCATE**

I hereby appoint and give my Mandate to whomever the Judge appoints as Advocate to represent me for this Process in First Instance, with 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.

**CONCLUSION**

By my signature below, I, the Petitioner, hereby indicate that I have read the policy statement, clearly understand it, and fully agree to abide by all of its terms. **If you need help completing or understanding this form, please contact the Tribunal at 210-734-1661 or Tribunal@archsa.org.**

\_\_\_\_\_  
Petitioner’s Signature

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

\_\_\_\_\_  
Printed Name of Petitioner

\_\_\_\_\_  
Printed Name of Priest/Deacon/Parish Minister

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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

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

**PETITIONER'S APPLICATION FOR A CANONICAL TRIAL OF NULLITY**  
**(PLEASE TYPE OR PRINT ALL INFORMATION CLEARLY)**

**I. FACTS ABOUT YOURSELF (PETITIONER)**

Name \_\_\_\_\_  
First Middle Last (Maiden Name, if female)

Complete Mailing Address \_\_\_\_\_  
\_\_\_\_\_

Telephone Numbers (Please include area code and country code if necessary.)

Cell \_\_\_\_\_ Home \_\_\_\_\_ Work \_\_\_\_\_

Email Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ City and State of Birth \_\_\_\_\_

Correspondence should be in  English  Spanish  Other \_\_\_\_\_

Ethnicity  Caucasian Non-Hispanic  Hispanic  Asian  African American  Native American  
 Other \_\_\_\_\_  Decline to Answer

Current Occupation \_\_\_\_\_

Current Catholic Parish, if applicable \_\_\_\_\_  
Name of Parish/City/State/Zip

**Your History of Faith**

Your Religion during infancy/childhood \_\_\_\_\_

Did you change your religion immediately before marrying your former spouse?  Yes  No

Your Religion at the time of the marriage in question \_\_\_\_\_

Did you change your religion during your marriage?  Yes  No

Your Current Religion \_\_\_\_\_

Were you baptized in the Catholic Church?  Yes  No

Church of Baptism, if applicable \_\_\_\_\_  
Name of Parish/City/State/Zip

Were you baptized in another Christian community outside of the Catholic Church?  Yes  No

Church of Baptism, if applicable \_\_\_\_\_  
Name of Church/City/State/Zip

Are you or your fiancé/fiancée or civil spouse currently in an RCIA program?  Yes  No

Church where you or your partner attend RCIA \_\_\_\_\_  
Name of Church/City/State/Zip



Your Educational History

- No Formal Education
- Graduated from high school
- Some college, describe \_\_\_\_\_
- College degrees, describe \_\_\_\_\_

Your Employment History

Describe the kinds of jobs you have had over the years.  
If you recall, what year did you begin each job and how long did you hold it?

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Your Hobbies

Describe the kinds of hobbies you have had over the years.

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

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

**II. FACTS ABOUT YOUR FORMER SPOUSE (RESPONDENT)**

Name \_\_\_\_\_  
First Middle Last (Maiden Name, if female)

Complete Mailing Address \_\_\_\_\_  
\_\_\_\_\_

Telephone Numbers (Please include area code and country code if necessary.)

Cell \_\_\_\_\_ Home \_\_\_\_\_ Work \_\_\_\_\_

Email Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ City and State of Birth \_\_\_\_\_

Correspondence should be in  English  Spanish  Other \_\_\_\_\_

Ethnicity  Caucasian Non-Hispanic  Hispanic  Asian  African American  Native American  
 Other \_\_\_\_\_  Decline to Answer

Current Occupation \_\_\_\_\_

Current Catholic Parish, if applicable \_\_\_\_\_  
Name of Parish/City/State/Zip

**Your Former Spouse's History of Faith**

Your Former Spouse's Religion during infancy/childhood \_\_\_\_\_

Did your Former Spouse change religion immediately before marrying you?  Yes  No

Your Former Spouse's Religion at the time of the marriage in question \_\_\_\_\_

Did your Former Spouse change religion during your marriage?  Yes  No

Your Former Spouse's Current Religion \_\_\_\_\_

Was your Former Spouse baptized in the Catholic Church?  Yes  No

Church of Baptism, if applicable \_\_\_\_\_  
Name of Parish/City/State/Zip

Was your Former Spouse baptized in another Christian community outside of the Catholic Church?  Yes  No

Church of Baptism, if applicable \_\_\_\_\_  
Name of Church/City/State/Zip

Is your Former Spouse currently in an RCIA program?  Yes  No

Church where your Former Spouse attends RCIA \_\_\_\_\_  
Name of Church/City/State/Zip





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

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

Your Former Spouse's Educational History

- No Formal Education
- Graduated from high school
- Some college, describe: \_\_\_\_\_
- College Degrees, describe: \_\_\_\_\_

Your Former Spouse's Employment History

Describe the kinds of jobs your Former Spouse has had over the years.  
If you recall, what year did your Former Spouse begin each job and how long did your Former Spouse hold it?

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Your Former Spouse's Hobbies

Describe the kinds of hobbies your Former Spouse has had over the years.

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

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**III. HISTORY OF YOUR RELATIONSHIP WITH YOUR FORMER SPOUSE**

How did you meet? \_\_\_\_\_

Date you met \_\_\_\_\_ Date you began dating each other \_\_\_\_\_

How long did you date? \_\_\_\_\_

Did you live together before marriage?  No  Yes If so, for how long? \_\_\_\_\_

Was there an engagement period before marriage?  No  Yes If so, for how long? \_\_\_\_\_

**If you married your Former Spouse civilly, or in a non-Catholic ceremony, BEFORE marrying in the Catholic Church,**  
please provide the information below:

Date of Civil or Non-Catholic Marriage: \_\_\_\_\_ Place: \_\_\_\_\_  
Name, City, State

Your age at this marriage \_\_\_\_\_ Your Former Spouse's age at this marriage \_\_\_\_\_

**Children BEFORE and DURING this marriage**

Number of children conceived BEFORE this civil or non-Catholic marriage: \_\_\_\_\_

Number of children conceived DURING this civil or non-Catholic marriage: \_\_\_\_\_

**FOR ALL: Children BEFORE and DURING marriage under investigation**

Number of children conceived BEFORE the marriage under investigation: \_\_\_\_\_

Number of children conceived DURING the marriage under investigation: \_\_\_\_\_

Provide names and dates of birth for all of the children.

If there are minor children of the marriage of you and your Former Spouse, who has custody?

You  Your Former Spouse  Both  Other \_\_\_\_\_

Is there any ongoing litigation regarding child custody or other matters between you and your Former Spouse?

No  Yes If so, please describe. \_\_\_\_\_

Approximate date of final separation: \_\_\_\_\_

Final Divorce Date: \_\_\_\_\_ Place: \_\_\_\_\_  
County, State

**IV. RELATIONSHIP HISTORY WITH OTHERS**

**List your significant relationships BEFORE or AFTER the marriage under investigation, that is, any relationships in which you were living with someone (not your Former Spouse) or planned to marry this other Partner.**

Name of Your Partner: \_\_\_\_\_

Approximate Year you became serious (either lived together or planned to marry) \_\_\_\_\_

Did you live together?  Yes  No Did you marry?  No  Yes If so, what year was the divorce? \_\_\_\_\_

If this partner was baptized, what religion was he/she? \_\_\_\_\_

How long did the relationship last? \_\_\_\_\_

Why did the relationship end? \_\_\_\_\_

Name of Your Partner: \_\_\_\_\_

Approximate Year you became serious (either lived together or planned to marry) \_\_\_\_\_

Did you live together?  Yes  No Did you marry?  No  Yes If so, what year was the divorce? \_\_\_\_\_

If this partner was baptized, what religion was he/she? \_\_\_\_\_

How long did the relationship last? \_\_\_\_\_

Why did the relationship end? \_\_\_\_\_

Continue list on separate pages.

**List your Former Spouse’s significant relationships BEFORE or AFTER the marriage under investigation, that is, any relationships in which your Former Spouse was living together with someone (not you) or planned to marry..**

Name of Your Former Spouse’s Partner: \_\_\_\_\_

Approximate Year they became serious (either lived together or planned to marry) \_\_\_\_\_

Did they live together?  Yes  No Did they marry?  No  Yes If so, what year was the divorce? \_\_\_\_\_

If your Former Spouse’s Partner was baptized, what religion was the Partner? \_\_\_\_\_

How long did the relationship last? \_\_\_\_\_

How did the relationship end? \_\_\_\_\_

Name of Your Former Spouse’s Partner: \_\_\_\_\_

Approximate Year they became serious (either lived together or planned to marry) \_\_\_\_\_

Did they live together?  Yes  No Did they marry?  No  Yes If so, what year was the divorce? \_\_\_\_\_

If your Former Spouse’s Partner was baptized, what religion was the Partner? \_\_\_\_\_

How long did the relationship last? \_\_\_\_\_

How did the relationship end? \_\_\_\_\_

Continue list on separate pages.

**V. WITNESSES**

Please give the requested information for three or more people who knew you and/or your former spouse **before and during** your marriage. You may choose witnesses from among parents, brothers, sisters, friends, members of the wedding party, such as your best man/maid of honor, or other family members. *Ordinarily, your father, mother, brothers or sisters are good witnesses.*

The children of this union, or those who were children at the time of the marriage, should not serve 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.)

IN SUPPORT OF MY TESTIMONY I OFFER THE FOLLOWING WITNESSES:



Mr.  Mrs.  Miss  Ms.  Dr.  Other \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Complete Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone Numbers (Please include area code and country code if necessary.):

Cell \_\_\_\_\_ Home \_\_\_\_\_ Work \_\_\_\_\_

Email Address \_\_\_\_\_

Communication should be in  English  Spanish  Other \_\_\_\_\_



Mr.  Mrs.  Miss  Ms.  Dr.  Other \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Complete Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone Numbers (Please include area code and country code if necessary.):

Cell \_\_\_\_\_ Home \_\_\_\_\_ Work \_\_\_\_\_

Email Address \_\_\_\_\_

Communication should be in  English  Spanish  Other \_\_\_\_\_



Mr.  Mrs.  Miss  Ms.  Dr.  Other \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Complete Mailing Address \_\_\_\_\_

\_\_\_\_\_

Telephone Numbers (Please include area code and country code if necessary.):

Cell \_\_\_\_\_ Home \_\_\_\_\_ Work \_\_\_\_\_

Email Address \_\_\_\_\_

Communication should be in  English  Spanish  Other \_\_\_\_\_

**ON SEPARATE PAPER, TYPE OR PRINT CLEARLY ANSWERS TO THE FOLLOWING QUESTIONS.**

Please tell us your story in a narrative form, not in an outline.

Please number each question and number all pages.

*If you prefer, you may provide your testimony orally over the telephone: 210-734-1661.*

**VI. BACKGROUND****A. ABOUT YOURSELF (PETITIONER)**

1. Please describe the home environment in which you grew up. What were your parents like?  
How many brothers and sisters did you have? Were you the oldest? youngest? in the middle?  
Include the character of your parents, their relationship with each other and with you and your siblings.  
Describe any tensions, difficulties or other problems present in the family while you were growing up.  
How did these problems affect you?
2. Who raised you (mother and/or father, grandparent, step parent, aunt/uncle, older sibling, etc.)?  
Describe your relationship with each parent/parent figure while growing up  
(warm/loving; emotionally distant; troubled, etc.).  
Who was the dominant parent, if either?  
Was there excessive strictness or permissiveness? Explain.
3. Please describe the nature of the religious life in your home, if any.  
How often did you go to Church?  
Did your family talk about faith in the home?  
Was religion a positive or negative experience for you growing up, and why was it that way?
4. Briefly, what was your history of dating before meeting your former spouse?  
Regarding your relationship history, do you have any additional details or comments, beside what you have already provided, that you believe are relevant to your case?
5. Regarding your employment history or hobbies, do you have any additional details or comments, beside what you have already provided, that you believe are relevant to your case?
6. Do you have any history of drug or alcohol abuse, gambling, pornography, or other addictions?  
If so, when did this behavior first begin?  
Any history of criminal activity, arrest or imprisonment?  
If so, give dates, offenses, etc. (exclude minor traffic violations)
7. Have you ever been in *individual treatment* with a licensed counselor (psychologist, psychiatrist, social worker)?  
If so, what did you learn from your counseling?  
What did you learn about yourself?  
What did you learn about your ex-spouse?  
Did the counselor give any diagnoses for either you or your ex-spouse?  
How long did you attend counseling?

**B. ABOUT YOUR FORMER SPOUSE (RESPONDENT)**

8. Please describe the home environment in which your former spouse grew up. What were his/her parents like?  
How many brothers and sisters did she/he have? Was he/she the oldest? youngest? in the middle?  
Include his/her parents' character, their relationship with each other and with siblings.  
Describe any tensions, difficulties or other problems in the family while your former spouse was growing up.  
How did these problems affect him/her?

9. Who raised your former spouse (mother and/or father, grandparent, step parent, aunt/uncle, older sibling, etc.)? Describe your former spouse's relationship with each parent/parent figure while growing up (warm/loving; emotionally distant; troubled, etc.). Who was the dominant parent, if either? Was there excessive strictness or permissiveness? Explain.
10. Please describe the nature of the religious life in your former spouse's home, if any. How often did your former spouse go to Church? Did your former spouse's family talk about faith in the home? Was religion a positive or negative experience for your former spouse growing up, and why was it that way?
11. Briefly, what was your former spouse's history of dating before meeting you? Regarding your former spouse's relationship history, do you have any additional details or comments, beside what you have already provided, that you believe are relevant to your case?
12. Regarding your former spouse's employment history or hobbies, do you have any additional details or comments, beside what you have already provided, that you believe are relevant to your case?
13. Does your former spouse have any history of drug or alcohol abuse, gambling, pornography, or other addictions? If so, when did this behavior first begin? When did you become aware of it? Any history of criminal activity, arrest or imprisonment? If so, give dates, offenses, etc. (exclude minor traffic violations).
14. Has your former spouse ever been in *individual treatment* with a licensed counselor (psychologist, psychiatrist, social worker)? If so, what did you learn from your counseling? What did you learn about yourself? What did you learn about your ex-spouse? Did the counselor give any diagnoses for either you or your ex-spouse? How long were you in counseling?

## VII. COURTSHIP

*If a civil marriage preceded a marriage in the Catholic Church, please be sure to clarify when events happened, either during the civil marriage, during the Catholic marriage, or during both.*

15. How would you describe the quality of your relationship during the dating period? If you lived together before marriage, how would you describe the quality of your relationship during this time? If you became engaged to marry, how would you describe the quality of your relationship during this time? For each of these periods, did you and your former spouse have problems? If so, describe the problems and how you resolved them.
16. Did you and your former spouse engage in premarital sex? If so, how long had you been dating when you first became intimate with one another? Was a pregnancy involved in your decision to marry? If so, explain circumstances and feelings.
17. Did you or your former spouse experience any internal or external pressure to get married? If so, explain the nature and/or source of the pressure.
18. Whose idea was it to get married and why? What were your main reasons for entering the marriage? What were your former spouse's main reasons?
19. Did you and your former spouse ever discuss your attitudes toward divorce? When? What were they?
20. Did you and your former spouse ever discuss your attitudes toward birth control? When? What were they?

21. If a civil marriage preceded a marriage in the Catholic Church, what was the quality of the relationship during the civil marriage? Whose idea was it to get married in the Church?  
Why did you want to marry in the Church? Why did your former spouse want to marry in the Church?  
Why did you want to marry civilly first? Why did your former spouse want to marry civilly first?

### VIII. MARRIED LIFE

*If a civil marriage preceded a marriage in the Catholic Church, please be sure to clarify when events happened, either during the civil marriage, during the Catholic marriage, or during both.*

22. How would you describe the quality of your relationship during the marriage?
23. Was there any sense of regret about getting married? When did these feelings begin?
24. What issues were a source of conflict between you?  
When did these issues and/or problems first surface?  
How did you deal with them?
25. Were there any particular qualities of your former spouse that you did not know about before you married them?  
If you had known about these qualities before, would you still have married?
26. If there were no children born of the marriage, explain why. How did this affect your relationship?
27. Give a detailed explanation of what you believe to be the **major reason(s)** for the breakup of the marriage.

### IX. SEPARATIONS

28. Were there any temporary separations during the marriage?  
If so, please explain the causes, circumstances, dates, duration and reasons for reconciliation.
29. What specific events, difficulties and/or circumstances led to your final separation?

### X. FINAL QUESTIONS

30. Have you remarried or do you have plans to remarry? If so, give the date(s) and place(s) of the marriage(s).  
If any of these marriages ended in death or divorce, please explain.  
*(Be sure to make these facts known to the priest, deacon or parish minister assisting you with this process.)*  
Does this current civil spouse or fiancé have any previous marriages that have not been resolved by the Catholic Church, regardless of whether the marriage was in the Catholic Church or not?
31. Has your former spouse ever remarried? If so, give the date(s) and place(s) of the marriage(s).  
If any of these marriages ended in death or divorce, please explain.
32. Do you know whether your former spouse will be willing to cooperate with this Tribunal (or any Church Court) by giving his/her side of the story either in writing or in person?  
Why do you believe this? Have you notified him/her that you are initiating this process?
33. Is there any other fact or circumstance concerning the marriage to your former spouse that you believe is relevant to the evaluation of your petition for nullity?



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

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

**\*\*\* PLEASE MAKE COPIES OF ALL PAPERWORK  
BEFORE SUBMITTING TO THE TRIBUNAL. \*\*\***

**YOUR COMPLETE PETITION** consists of all the pages of this form, all of the pages of your responses and all of your documents, listed below. Please write the question number next to each response.

If you need help requesting documents, contact us for assistance.

**BRING YOUR COMPLETE PETITION** to your Priest, Deacon or Parish Minister.

He or she will ask you to swear to their truthfulness and have you sign below.

He or she will also witness your signature and forward the case to the Tribunal.

1. A current copy your **BAPTISMAL CERTIFICATE WITH NOTATATIONS** (obtained from the Parish or Church of Baptism within the last year).
2. The **MARRIAGE LICENSE** and, if applicable, the **MARRIAGE CERTIFICATE** (obtained from the Parish where the couple was married) for the marriage being investigated.
3. A complete copy (all pages) of the **FINAL DIVORCE DECREE**, dated and signed by the Judge.
4. Other **OFFICIAL DOCUMENTARY EVIDENCE** that would corroborate testimony, if applicable (e.g., birth certificates, medical records, police reports as evidence to support specific testimony).
5. Cash or check for **\$450, or \$100 as a deposit, if possible**.  
Checks should be made payable to: Archdiocese of San Antonio.  
**Please submit your petition as soon as it is ready, regardless of your ability to pay.**

***WITH GOD AS MY WITNESS, I DECLARE UNDER OATH THAT MY ATTACHED RESPONSES ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.***

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

\_\_\_\_\_  
Printed Name of Petitioner

*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

\_\_\_\_\_  
Printed Name of Priest/Deacon/Parish Minister

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parish Telephone

FOR TRIBUNAL USE ONLY		Deposit Amount \$ _____	Deposit Received _____/_____/_____
<input type="checkbox"/> Cash	<input type="checkbox"/> Check/Money Order # _____	Paid by <input type="checkbox"/> Petitioner <input type="checkbox"/> Parish <input type="checkbox"/> Other _____	

**RECOMMENDATION OF THE SUBMITTING PRIEST, DEACON OR PARISH MINISTER**

*This is to be completed by the minister separately and on his or her own  
and should be submitted with all of the other required forms and documents of the Petitioner.*

1. How long and how well have you known the Petitioner? \_\_\_\_\_  
Please give an assessment of the Petitioner's credibility.
  
2. Is the Petitioner an actively practicing member of your parish?  Yes  No  
Please describe his/her religious practice.
  
3. Has the Petitioner worked through the breakup of the marriage in question?  Yes  No  
How did you come to this conclusion?
  
4. Why does the Petitioner desire an ecclesiastical declaration of nullity?
  
5. If a declaration of nullity were to be granted, what type of preparation should be required before a convalidation or Catholic marriage? (Please be sure to recommend whatever professional counsel or therapy or special pastoral steps you deem advisable.)
  
6. Has the Petitioner informed his/her former spouse of this Petition, or does the Petitioner intend to do so?  
 Yes  No If No, why?
  
7. Are you aware of any other civil, religious, or common-law union of the Petitioner beside the marriage in question?  Yes  No If so, please describe.
  
8. If the Petitioner seeks to marry in the Church or to convalidate a civil marriage in the Church:  
are you aware of any civil, religious or common-law union of the proposed fiancé/fiancée/current civil spouse other than his/her commitment to the Petitioner?  Yes  No If so, please describe.

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

\_\_\_\_\_  
Printed Name of Priest/Deacon/Parish Minister

\_\_\_\_\_  
Date

<b>Canon 1085</b>	<b>LIGAMEN: PRIOR BOND OF MARRIAGE</b>
	<p>1. A person bound by the bond of a prior marriage, even if it was not consummated, invalidly attempts marriage.</p> <p>2. Even if the prior marriage is invalid or dissolved for any reason, it is not on that account permitted to contract another before the nullity or dissolution of the prior marriage is established legitimately and certainly.</p>
<b>Canon 1095.1</b>	<b>LACK OF DUE REASON</b>
	<p>The following are incapable of contracting marriage:</p> <p>1. those who lack the sufficient use of reason.</p>
<b>Canon 1095.2</b>	<b>LACK OF DUE DISCRETION</b>
	<p>The following are incapable of contracting marriage:</p> <p>2. those who suffer from a grave defect of discretion of judgment concerning the essential matrimonial rights and duties mutually to be handed over and accepted.</p>
<b>Canon 1095.3</b>	<b>INCAPACITY TO ASSUME THE ESSENTIAL OBLIGATIONS OF MARRIAGE</b>
	<p>The following are incapable of contracting marriage:</p> <p>3. those who are not able to assume the essential obligations of marriage for causes of a psychic nature.</p>
<b>Canon 1096</b>	<b>IGNORANCE</b>
	<p>1. For matrimonial consent to exist, the contracting parties must be at least not ignorant that marriage is a permanent partnership between a man and a woman ordered to the procreation of offspring by means of some sexual cooperation.</p> <p>2. This ignorance is not presumed after puberty.</p>
<b>Canon 1097.1</b>	<b>ERROR OF PERSON</b>
	<p>1. Error concerning the person renders a marriage invalid.</p>
<b>Canon 1097.2</b>	<b>ERROR OF QUALITY OF PERSON</b>
	<p>2. Error concerning a quality of the person does not render a marriage invalid even if it is the cause for the contract, unless this quality is directly and principally intended.</p>
<b>Canon 1098</b>	<b>FRAUD / IMPOSED ERROR</b>
	<p>A person contracts invalidly who enters into a marriage deceived by malice, perpetrated to obtain consent, concerning some quality of the other partner which by its very nature can gravely disturb the partnership of conjugal life.</p>

<b>Canon 1099</b>	<b>ERROR DETERMINING THE WILL REGARDING UNITY, INDISSOLUBILITY OR SACRAMENTAL DIGNITY</b>
	Error concerning the unity or indissolubility or sacramental dignity of marriage does not vitiate matrimonial consent provided that it does not determine the will.
<b>Canon 1101.2</b>	<b>EXCLUSIONS OF: THE GOOD OF THE SPOUSE; FIDELITY; CHILDREN; EDUCATION OF CHILDREN; OR PERPETUITY; OR TOTAL SIMULATION</b>
	1. The internal consent of the mind is presumed to conform to the words and signs used in celebrating the marriage. 2. If, however, either or both of the parties by a positive act of the will exclude marriage itself, some essential element of marriage, or some essential property of marriage, the party contracts invalidly.
<b>Canon 1102.1</b>	<b>CONDITIONED CONSENT – FUTURE</b>
	1. A marriage subject to a condition about the future cannot be contracted validly.
<b>Canon 1102.2</b>	<b>CONDITIONED CONSENT – PAST OR PRESENT</b>
	2. A marriage entered into subject to a condition about the past or the present is valid or not insofar as that which is subject to the condition exists or not.
<b>Canon 1103</b>	<b>FORCE OR FEAR</b>
	A marriage is invalid if entered into because of force or grave fear from without, even if unintentionally inflicted, so that a person is compelled to choose marriage in order to be free from it.
<b>Canon 1109</b>	<b>DEFECT OF FORM</b>
	Unless the local ordinary and pastor have been excommunicated, interdicted, or suspended from office or declared such through a sentence or decree, by virtue of their office and within the confines of their territory they assist validly at the marriages not only of their subjects, but also provided at least one of the parties is ascribed to the Latin Church, those who are not their subjects.
<b>Canon 1117</b>	<b>LACK OF CANONICAL FORM</b>
	The form prescribed above must be observed if at least one of the parties contracting the marriage was baptized in the Catholic Church or received into it, without prejudice to the provisions of can. 1127 § 2.