



Roman Catholic Diocese of Portland
Marriage Tribunal
 510 Ocean Avenue
 Portland, Maine 04103-4936
 (207) 773-6471

Petition for the Declaration of Nullity

*You are encouraged to complete this form with the help of a priest or deacon. This form must be filled out completely (please print or type), including information regarding the Respondent. **The Respondent will be sent a copy of the essay portion of this petition, unless the Petitioner demonstrates a grave reason (e.g. a restraining order) why it should not be sent. It is the duty of the Petitioner to provide a viable address for the Respondent, and providing a wrong or incomplete address for the Respondent will cause serious delays in the case. If the Respondent is truly impossible to locate, please attach a record of your attempts to locate him/her.***

PETITIONER (YOU)

Current name:

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

Present address:.....

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

Telephone:.....

Date of birth:.....

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

Church of baptism:.....

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

RESPONDENT (FORMER SPOUSE)

Current name:

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

Present address:

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

Telephone:.....

Date of birth:.....

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

Church of baptism:.....

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

CONCERNING THE RELATIONSHIP

Length of courtship prior to engagement:.....

Date of marriage:.....

Age of bride at time of this marriage:.....

Church or place of marriage:.....

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

Minister/Officiant of marriage:.....

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

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

Age of groom at time of this marriage:.....

Denomination (if applicable):.....

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

If so, name and address of church:

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

Number of children born in this marriage:.....

INFORMATION REGARDING OTHER MARRIAGES

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

For "no": Please indicate any other marriages contracted by either party, whether before or after the marriage in question. If more space is needed, please include those marriages on a separate sheet.

__ PETITIONER __RESPONDENT

Spouse: Check all that apply below:
Religion of spouse:..... __ If Catholic decree of nullity, protocol #:.....
Date of marriage:Location:..... __ If former spouse is dead, date of death:.....
Was the marriage in the Catholic Church? Yes No __ If civil divorce, date of divorce:

__ PETITIONER __RESPONDENT

Spouse: Check all that apply below:
Religion of spouse:..... __ If Catholic decree of nullity, protocol #:.....
Date of marriage:Location:..... __ If former spouse is dead, date of death:.....
Was the marriage in the Catholic Church? Yes No __ If civil divorce, date of divorce:

__ PETITIONER __RESPONDENT

Spouse: Check all that apply below:
Religion of spouse:..... __ If Catholic decree of nullity, protocol #:.....
Date of marriage:Location:..... __ If former spouse is dead, date of death:.....
Was the marriage in the Catholic Church? Yes No __ If civil divorce, date of divorce:

PETITIONER'S CURRENT INTENTIONS

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

Religion of intended spouse:.....

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

If yes, please note that this other person is not free to marry in the Catholic Church unless his/her previous spouse has died or the marriage is declared invalid through a Marriage Tribunal.

GROUND OF NULLITY

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

*The information you provide **will be sent to the Respondent** unless you demonstrate a grave reason (e.g. a restraining order) why it should be withheld at the time of the notification. If the Respondent chooses to participate in the trial, he/she has the right to see the essay at a later time. Based on the information you provide, the Tribunal will ask follow-up questions that deal specifically with your case.*

Please type the following information. You may use separate sheets of paper if needed.

1. Basic details about how you and the Respondent met;

2. Basic details surrounding the courtship, the decision to marry, and the day of the wedding;

3. Basic details about why the marriage broke down;

4. Using Appendix A, the specific ground(s) of nullity which you believe rendered your marriage invalid specifying the party on whom you are making the allegation (e.g. on the Petitioner or the Respondent), and an explanation of your reasons;

5. Any traumatic or unusual circumstances surrounding your courtship or wedding.

6. Additional information that you think will be useful for the Tribunal.

Comments from priest/deacon (optional):

Please include any remarks you feel would be helpful to the Tribunal regarding the Petitioner.

Signature of Petitioner

Date

Signature of Priest/Deacon

Date

WITNESSES

In order to prove the nullity of a marriage, you must provide witnesses who will attest to the facts alleged about the proposed ground(s) of nullity. The best witnesses are those who have firsthand knowledge of you (the Petitioner) and/or the other party (the Respondent). Witnesses should be able to speak knowledgeably and honestly about the Petitioner's and/or the Respondent's upbringing, the courtship, and/or problems encountered in the marriage. The focus of these proceedings is the factors that were present at the moment of consent. **You must contact your witnesses in advance (prior to submitting their names) and secure their permission for the Tribunal to send them an in-depth questionnaire. Naming witnesses who have not agreed to participate can cause indefinite delays.**

- Directions:** a) Name: Indicate how each person is to be addressed, i.e., the title of Mr., Mrs., Miss, Ms., Dr., etc.
b) Postal address: This must be complete.
c) Relationship: e.g.: my parents, my ex-spouse's sister, friend with both of us since high school, etc.
d) Contact: Please indicate whether the questionnaire should be sent by mail or e-mail.

I present the following as witnesses in my petition for an annulment.

NAME AND CONTACT INFORMATION:

1. _____ This witness prefers mail _____ or e-mail _____

Complete Postal Address: _____

E-mail Address: _____

Relationship: _____

2. _____ This witness prefers mail _____ or e-mail _____

Complete Postal Address: _____

E-mail Address: _____

Relationship: _____

3. _____ This witness prefers mail _____ or e-mail _____

Complete Postal Address: _____

E-mail Address: _____

Relationship: _____

_____ **INITIAL HERE: I HAVE CONTACTED THESE WITNESSES AND THEY HAVE AGREED TO PARTICIPATE.**

TIPS FOR SELECTING GOOD WITNESSES

The best witnesses are those who have firsthand knowledge of one or both of the parties in the time-period leading up to the wedding (upbringing, courtship, engagement, time of consent, and/or in the early part of the marriage).

WHO (do I choose)?

- Family (e.g., parents, siblings, aunts/uncles, godparents, cousins, former spouse's family, etc.)
- Friends
- Schoolmates
- Members of the wedding party (i.e., best man, maid of honor, bridesmaids, groomsmen, etc.)
- Co-workers/colleagues
- Your counselor(s)/therapist(s) (if appropriate to the case)
- Your doctor (only if relevant to the grounds set in the case)

WHO (*not* to choose)?

- Deceased persons are incapable of offering testimony.
- Children born of the marriage cannot speak about the courtship and time of consent.
- Current spouse or current spouse's family
- Family members of friends who are significantly impaired by dementia or mental illness
- Priests, in most instances, are prevented from discussing substantive information gained during ministry.

WHAT (do they need to do)?

- Witnesses need to share their unvarnished perspective about the marriage in question, particularly the behaviors and outlooks of the parties leading up to the wedding. This process is not about making one party look good and the other party look bad. Witnesses should share all that they know ("the whole truth"/"the complete picture"), even if they don't think it will show you in the best light. The fuller picture a witness can provide, the better the Tribunal can reach an accurate and just decision in a timely manner.

WHEN (must I have known them)?

The best witnesses are ones who can speak about one or both of the following:

- the background of the Petitioner and/or Respondent
- the courtship/dating period, the time of consent (wedding), and the early part of the marriage

WHERE (do I look)?

- You must make a concerted effort to find witnesses who can corroborate and complete the story. Often we lose touch with people who at one time were significant in our lives, but technology offers a way of finding and reconnecting with people. Try finding and reaching out to a potential witness by using social media (e.g., Facebook), networking sites (e.g., LinkedIn), search engines (e.g., Google), alumni association directories, free websites (e.g., whitepages.com or peoplefinders.com), or paid public records websites (e.g., intelius.com, beenverified.com, standard.netdetective.net or spokeo.com).

WHY (do I need them)?

- The burden of proof rests with the Petitioner, who must show that this marriage was fatally flawed from the beginning. Witnesses corroborate (help to establish) the alleged facts and complete the picture with their insights. If for serious reasons three substantive witnesses cannot be found, then you must name character references who can attest to your honesty. Character references need only to testify to your upstanding character; they do not need to have known you at the time of the wedding. Other sources of evidence such as correspondence (e.g., "love letters" or notes), diaries or journals, and/or legal documents (e.g., police reports, copy of retraining orders, etc.) can also be helpful.

HOW (does the Tribunal contact them)?

- After you have provided contact information for each of your witnesses, the Tribunal will send each witness a questionnaire either by postal mail or by e-mail. If follow-up questions are needed, the Tribunal may contact the witness by telephone. It is important that the witnesses complete their questionnaire independently and share their unvarnished perspective.
- Please do not "coach" your witnesses. Give your witnesses the freedom to share their impressions and tell what they remember observing in their own words.