

METROPOLITAN TRIBUNAL

ARCHDIOCESE OF ATLANTA



PETITION FOR DISSOLUTION OF MARRIAGE *IN FAVOREM FIDEI*

APPLICATION FORM

INSTRUCTIONS

The present form can be filled in either by hand or, preferably, on the computer. If you use your computer, you will need the program Acrobat Reader, which you can download for free from the website adobe.com. Do not use your browser, as it won't allow you to save your file. If you choose to handwrite your answers, please write legibly.

Be sure to sign in all locations indicated.

Do not begin filling out this application until you have met with a Tribunal Advocate. Inquire in your parish or contact the Metropolitan Tribunal to learn how to select an Advocate.

Take your time in completing the questionnaire. Answer all the questions as completely as possible. Taking some time now will save you time later.

In this questionnaire, you are the "Petitioner," and the other spouse to the marriage that you are asking to be dissolved is the "Respondent." The person that you intend to marry in the Catholic Church is the "Intended Spouse."

The mailing address of the Respondent is extremely important. Making sure that the address is correct will avoid delays. If you are unable to provide the address for the Respondent, you will have to provide documentation of your efforts in trying to locate it.

For Tribunal use: Date Received

Prot. Num.

DOCUMENTS CHECKLIST

Please make sure that you are submitting all the required documents by completing the following checklist. Depending on the case, some documents will be required and some will be unnecessary. Please check the appropriate checkbox.

All documents submitted must be originals or copies authenticated by a notary public or by an ecclesiastical notary. Baptismal certificates must be recent, issued within the last 6 months.

All incomplete applications will be returned.

Please keep a copy of any documents you submit to the Tribunal, in case they are lost in the mail.

YES N/A DOCUMENT

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | | Mailing address of the Respondent or proof of your efforts to locate the Respondent; |
| <input type="checkbox"/> | <input type="checkbox"/> | Baptism certificate or certificate of reception in the Catholic Church (if you are a Catholic now, but you were baptized in a non-Catholic community) for the Petitioner; |
| <input type="checkbox"/> | <input type="checkbox"/> | Baptism certificate or certificate of reception in the Catholic Church for the Respondent; |
| <input type="checkbox"/> | <input type="checkbox"/> | List of cities where the non-baptized party (or parties) has resided from birth until divorce; |
| <input type="checkbox"/> | <input type="checkbox"/> | Marriage certificate for the marriage to the Respondent; |
| <input type="checkbox"/> | <input type="checkbox"/> | Decree of divorce for the marriage to the Respondent (containing judge's signature); |
| <input type="checkbox"/> | <input type="checkbox"/> | Baptism certificate for Catholic children of the Petitioner and the Respondent; |
| <input type="checkbox"/> | <input type="checkbox"/> | Documents concerning other marriages of the Petitioner (marriage certificate, divorce decree, and ecclesiastical decree of nullity or decree of dissolution); |
| <input type="checkbox"/> | <input type="checkbox"/> | Documents concerning other marriages of the Respondent (marriage certificate, divorce decree, and ecclesiastical decree of nullity or decree of dissolution); |
| <input type="checkbox"/> | <input type="checkbox"/> | Baptism certificate or certificate of reception in the Catholic Church for the Intended Spouse; |
| <input type="checkbox"/> | <input type="checkbox"/> | Marriage Certificate for Petitioner's civil marriage to the Intended Spouse; |
| <input type="checkbox"/> | <input type="checkbox"/> | Baptism certificate for Catholic children of the Petitioner and the Intended Spouse; |
| <input type="checkbox"/> | <input type="checkbox"/> | Documents attesting the freedom to marry of the Intended Spouse (marriage certificate, divorce decree, and ecclesiastical decree of nullity or decree of dissolution for any marriages of the Intended Spouse); |
| <input type="checkbox"/> | <input type="checkbox"/> | Promises. |

AGREEMENT OF UNDERSTANDING

1. I understand that, if my case is accepted for consideration, it does not guarantee that an affirmative decision will be given.
2. I understand that I am not guaranteed that the case will be concluded by a certain date. As such, I agree to wait until I receive a final decision in writing before I set a definite date for a marriage in the Catholic Church.
3. I understand and accept that Canonical law obligates the Tribunal to contact the Respondent and present him or her with the opportunity to participate in the process. Therefore, I acknowledge that I must provide the full current address of the Respondent. All reasonable efforts to locate the Respondent must be exhausted by me. The requirement of contacting the Respondent may not be omitted.
4. I understand that I must contact my witnesses personally to inform them that I have started this case. I will ask my witnesses to respond.
5. All contents of this investigation will be kept confidential, reserved exclusively to the designated officials of the Catholic Church, according to the canon law of the Roman Catholic Church.
6. I understand that if, with occasion of the instruction of the case, the Metropolitan Tribunal were to learn about specific information, then by law the Metropolitan Tribunal may be required to report such information to legal authorities. Such information may include names or situations in which a minor has been subjected to physical or sexual abuse or neglect. I release the Archdiocese of Atlanta and its agents from any liability for disclosure of information to appropriate legal authorities about abuse of a minor.
7. I also understand that if, with occasion of the instruction of the case, the Metropolitan Tribunal were to learn about specific information regarding abuse (past or present) by clergy or other professional employees or volunteers of the various parishes and institutions of the Roman Catholic Church, this information will be reported to the Office of the Archbishop of Atlanta.
8. In recognition of the religious nature of this process, I voluntarily waive now, and in the future, any rights under civil law to subpoena the acts of the case in judicial discovery. This waiver is given without reservation, condition or limit of time.
9. I agree to keep confidential and secret any information that I shall learn in the course of the process because all testimony in this case is given for the possible ecclesiastical dissolution of my marriage. Since my interest is solely to present my case to the Tribunal, I promise not to use information that I may learn through the case in any other forum or for any other purpose.
10. I understand that no fees will be charged for any cases submitted to the Metropolitan Tribunal of Atlanta. However, I acknowledge that a fee will be required by the Holy See if the case is transmitted to Rome.

Accepted in (city, state) _____, on _____.

Signature of the Petitioner

ELECTRONIC TRANSMISSION OF DATA

The use of new technologies allows for more expedience and convenience in our communications. If you are willing to receive our communications electronically, please sign the acceptance below.

Definition of electronic case file transmission: For the purposes of this agreement, electronic transmission of data refers to the communication of information pertaining to the case, between the Petitioner and the Tribunal, via email and/or other appropriate electronic means.

Benefits of electronic case file transmission: The electronic transmission of case information reduces costs through the diminishment of paper consumption as well as postal fees. In addition to being cost-efficient, this also reduces delivery time and permits the rapid dissemination of information to all case handlers and case parties.

Risks of electronic case file transmission: Electronic transmission of case information presents an inherent level of risk to the confidentiality of information related to a Petitioner's case file. Although the email server of the Tribunal is encrypted, and documents are password-protected in an effort to maintain case file confidentiality, electronic transmission of material cannot guarantee confidentiality. By signing below and utilizing the electronic transmission system, the Petitioner acknowledges and agrees to the information and terms contained herein, and further waives any and all claims against, and agrees to hold harmless the Archbishop of Atlanta, the Tribunal and any sender of case information via electronic transmission, with respect to any and all claims, loss and/or damage arising from and/or related to the electronic transmission of case information.

Parties who may receive electronic case file transmission: Case information may be sent electronically from the Tribunal to the following parties: Judges, Psychologists, Counselors, Petitioner and/or Respondent Advocates, Defender of the Bond, Promoter of Justice, and Court of Second Instance.

I have read and understand the information provided to me regarding the Tribunal's release of information through electronic means, and I agree to the terms.

Do you want to receive our communications electronically? ☐ Yes ☐ No.

Accepted in (city, state) _____, on _____.

Signature of the Petitioner

PETITIONER'S GENERAL INFORMATIONPreferred language: ☐ English ☐ Español ☐ Tiếng Việt

Title: _____

First name: _____

Middle name: _____

Current last name: _____

Maiden name: _____

Gender: ☐ Male ☐ Female

Street address: _____

City, State: _____

Zip code: _____

Cell phone: _____

Home phone: _____

Work phone: _____

Email: _____

Date of birth: _____

Place of birth: _____

Have you ever been baptized? _____

Were you baptized at the time of the wedding? _____

Church or denomination of baptism: _____

City, State: _____

Date of baptism: _____

Religion or denomination at the time of the wedding: _____

Current religion or denomination: _____

Current parish or congregation: _____

City, State: _____

RESPONDENT'S GENERAL INFORMATIONPreferred language: ☐ English ☐ Español ☐ Tiếng Việt

Title: _____

First name: _____

Middle name: _____

Current last name: _____

Maiden name: _____

Gender: ☐ Male ☐ Female

Street address: _____

City, State: _____

Zip code: _____

Cell phone: _____

Home phone: _____

Work phone: _____

Email: _____

Date of birth: _____

Place of birth: _____

Has the Respondent ever been baptized? _____

Was he or she baptized at the time of the wedding? _____

Church or denomination of baptism: _____

City, State: _____

Date of baptism: _____

Religion or denomination at the time of the wedding: _____

Current religion or denomination: _____

Current parish or congregation: _____

City, State: _____

Are you and the Respondent in regular contact? _____

Will the Respondent participate in this case? _____

Why? _____

Are you enrolled in RCIA? _____

If yes, in which parish? _____

City, State _____

Have you ever petitioned for a declaration of nullity or dissolution of this marriage before other Church

Tribunals? _____

If yes, name of Tribunal: _____

Case number and date: _____

UNLOCATABLE RESPONDENT

The address of the Respondent is extremely important. If you are unable to provide a valid address for the Respondent, you need to make all the efforts suggested below that are applicable to your case. Otherwise, the Petition will be returned to you for completion.

Explain why it is impossible for you to provide a valid address for the Respondent:

Indicate which efforts you have made to locate the Respondent, and attach the documentation to prove that you tried them.

If you are unable to use any of these search options, you must explain why.

You must also explain why your efforts were unsuccessful.

YES N/A

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Known aliases, maiden, or former names; |
| <input type="checkbox"/> | <input type="checkbox"/> | Social media (Facebook, Instagram, Twitter, etc.); |
| <input type="checkbox"/> | <input type="checkbox"/> | Communication through our children; |
| <input type="checkbox"/> | <input type="checkbox"/> | Communication through mutual friends and relatives; |
| <input type="checkbox"/> | <input type="checkbox"/> | Communication through former neighbors, co-workers, etc.; |
| <input type="checkbox"/> | <input type="checkbox"/> | Mailing a letter to the last known address; |
| <input type="checkbox"/> | <input type="checkbox"/> | Telephone Book or City Directory (available at Public Libraries); |
| <input type="checkbox"/> | <input type="checkbox"/> | Telephone Directory Assistance; |
| <input type="checkbox"/> | <input type="checkbox"/> | Last known telephone number; |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional or trade organizations; |
| <input type="checkbox"/> | <input type="checkbox"/> | Respondent's divorce attorney; |
| <input type="checkbox"/> | <input type="checkbox"/> | Social Security Records and Credit Records; |
| <input type="checkbox"/> | <input type="checkbox"/> | Motor Vehicle Records; |
| <input type="checkbox"/> | <input type="checkbox"/> | Military records: U.S. Navy, Marine Corps, Air Force, and Coast Guard locator services; |
| <input type="checkbox"/> | <input type="checkbox"/> | Last known employment; |
| <input type="checkbox"/> | <input type="checkbox"/> | Attorneys, investigators or other professionals; |
| <input type="checkbox"/> | <input type="checkbox"/> | Paid on-line search engines, like www.ussearch.com or www.whitepages.com . |

If you need further information on how to locate the Respondent, please contact the Metropolitan Tribunal.

BAPTISMAL INFORMATION

If this process, it is going to be necessary to prove the lack of baptism of both or at least one party to the marriage. Accordingly, please fill in the required information concerning you, the Respondent, or both.

WHERE YOU HAVE LIVED

If your lack of baptism needs to be proven in this process, list all the places where you lived for six months or more until the age of 7. Indicate the approximate dates.

Name of city, town, or village	From	Until
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

CHURCHES ATTENDED

If your lack of baptism needs to be proven in this process, list all the churches that you attended regularly until the age of 7

Name	Address
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

WHERE THE RESPONDENT HAS LIVED

If the Respondent's lack of baptism needs to be proven in this process, list all the places where the Respondent lived for six months or more until the age of 7. Indicate the approximate dates.

Name of city, town, or village	From	Until
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

CHURCHES ATTENDED

If the Respondent's lack of baptism needs to be proven in this process, list all the churches that the Respondent attended regularly until the age of 7

Name	Address
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

WEDDING

NOTE: For Catholics, "wedding" means the wedding in the Catholic Church, not the civil ceremony.

Petitioner's age at the time of the wedding: _____

Respondent's age at the time of the wedding: _____

Date of the wedding: _____

Officiant: ☐ Catholic priest or deacon

☐ Other religious minister

☐ Civil official

☐ Other (explain) _____

Name of officiant: _____

Church or place of marriage:

Street address: _____

City, State: _____

Zip code: _____

For Catholics: Did you and the Respondent celebrate a civil wedding before the one in the Catholic Church? _____

If yes, name of officiant: _____

Venue: _____

City, State: _____

Date: _____

Why did you marry afterwards in the Catholic Church? (this is also called sometimes a *blessing* or *convalidation*)

SEPARATION

Number of separations during the marriage: _____

Date of the first separation: _____

Date of final separation: _____

Length of married life until final separation: _____

What was the cause for the final separation?

If there is no hope for reconciliation with the Respondent, why? _____

CIVIL DIVORCE

☐ Civil Divorce or ☐ Civil Annulment?

☐ No-fault or ☐ For cause?

If it was for cause, please describe briefly:

Who applied for the divorce? _____

Date of divorce or annulment: _____

Court: _____

County, State: _____

CHILDREN

Dates of birth (or adoption) of all the children that you had with the Respondent:

Date of birth or adoption

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Are these children baptized Catholic? _____

If not, why? _____

Who now has legal custody of the children? _____

Are there current problems or disputes concerning visitation, custody, or support payments? _____

If there are current problems or disputes, describe briefly:

Is there any ongoing or pending litigation in the civil Courts between you and the Respondent? _____

If there are ongoing or pending litigations, describe briefly:

OTHER MARRIAGES

If either you or the Respondent has had more than one marriage, please list them all in chronological order. Please include all marriages, even those that were not celebrated in religious ceremonies.

Attach to this Petition all the documentation relative to each of these marriages: marriage certificate, civil divorce decree, and ecclesiastical decree of dissolution or nullity.

If either you or the Respondent has more than three marriages, please list them on a separate sheet of paper, including all the information requested below for each of the marriages.

PETITIONER

1) Name of spouse: _____

Date: _____

Place: _____

Was this the first marriage for the other spouse? _____

Has this spouse passed away? _____

If so, when? _____

Has the Catholic Church granted a declaration of nullity or dissolution of this marriage? _____

If yes, name of Tribunal: _____

Case number and date: _____

2) Name of spouse: _____

Date: _____

Place: _____

Was this the first marriage for the other spouse? _____

Has this spouse passed away? _____

If so, when? _____

Has the Catholic Church granted a declaration of nullity or dissolution of this marriage? _____

If yes, name of Tribunal: _____

Case number and date: _____

3) Name of spouse: _____

Date: _____

Place: _____

Was this the first marriage for the other spouse? _____

Has this spouse passed away? _____

If so, when? _____

Has the Catholic Church granted a declaration of nullity or dissolution of this marriage? _____

If yes, name of Tribunal: _____

Case number and date: _____

RESPONDENT

1) Name of spouse: _____

Date: _____

Place: _____

Was this the first marriage for the other spouse? _____

Has this spouse passed away? _____

If so, when? _____

Has the Catholic Church granted a declaration of nullity or dissolution of this marriage? _____

If yes, name of Tribunal: _____

Case number and date: _____

2) Name of spouse: _____

Date: _____

Place: _____

Was this the first marriage for the other spouse? _____

Has this spouse passed away? _____

If so, when? _____

Has the Catholic Church granted a declaration of nullity or dissolution of this marriage? _____

If yes, name of Tribunal: _____

Case number and date: _____

3) Name of spouse: _____

Date: _____

Place: _____

Was this the first marriage for the other spouse? _____

Has this spouse passed away? _____

If so, when? _____

Has the Catholic Church granted a declaration of nullity or dissolution of this marriage? _____

If yes, name of Tribunal: _____

Case number and date: _____

WITNESSES

It is essential to demonstrate the lack of baptism of the Respondent, the Petitioner, or both. Depending on your case, you have to propose witnesses for the Respondent, the Petitioner, or for both.

Please name at least two witnesses who are able and willing to provide testimony about the lack of baptism.

The preferred witnesses are the parents of the unbaptized person. Other competent witnesses may be older siblings, uncles, aunts or older cousins, as long as they can testify to the absence of baptism.

Before submitting their names, personally contact each witness and make sure that they are willing to testify.

FOR THE PETITIONER**Witness 1**

Language preferred: ☐ English ☐ Español ☐ Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Relationship to you: _____

Relationship to the Respondent: _____

Did this person agree to be a witness? _____

Witness 2

Language preferred: ☐ English ☐ Español ☐ Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Relationship to you: _____

Relationship to the Respondent: _____

Did this person agree to be a witness? _____

Witness 3

Language preferred: ☐ English ☐ Español ☐ Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Relationship to you: _____

Relationship to the Respondent: _____

Did this person agree to be a witness? _____

FOR THE RESPONDENT**Witness 1**

Language preferred: ☐ English ☐ Español ☐ Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Relationship to you: _____

Relationship to the Respondent: _____

Did this person agree to be a witness? _____

Witness 2

Language preferred: ☐ English ☐ Español ☐ Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Relationship to you: _____

Relationship to the Respondent: _____

Did this person agree to be a witness? _____

Witness 3

Language preferred: ☐ English ☐ Español ☐ Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Relationship to you: _____

Relationship to the Respondent: _____

Did this person agree to be a witness? _____

INTENDED MARRIAGE

For the purpose of this questionnaire, the Intended Spouse is the person that you want to marry in the Catholic Church.

First name of Intended Spouse: _____

Middle name: _____

Current last name: _____

Maiden name: _____

Street address: _____

City, State: _____

Zip code: _____

Religion: _____

Date of Birth: _____

Has your Intended Spouse ever been baptized? _____

Date of baptism: _____

Church or denomination of baptism: _____

City, State: _____

Current religion or denomination: _____

Current parish or congregation: _____

City, State: _____

If not baptized, why? _____

Is your Intended Spouse enrolled in RCIA? _____

If so, in which parish? _____

City, State _____

Is your Intended Spouse free to marry in the Catholic Church? _____

If no, explain briefly: _____

Was your Intended Spouse at fault in provoking your separation from the Respondent? _____

If so, explain briefly why: _____

If you are allowed to marry your Intended Spouse in the Catholic Church, will it cause any scandal? _____

If so, explain briefly why: _____

Are you civilly married to your Intended Spouse? _____

If so, date of the celebration: _____

Name of officiant: _____

Church or place of celebration: _____

Street address: _____

City, State: _____

Zip code: _____

Dates of birth (or adoption) of all the children that you had with the Intended Spouse:

Date of birth or adoption

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Are these children baptized Catholic? _____

If not, why? _____

RECOMMENDATION LETTER FROM THE PASTOR

With your Petition, you need to submit a recommendation letter from your pastor, in the parish's letterhead, with the pastor's signature and seal, including the following information:

1. The pastor's relationship with the Petitioner and the Intended Spouse
2. The baptismal status of the Petitioner and the Intended Spouse
3. The pastor's view on the religious practice and involvement with the Parish of the Petitioner and the Intended Spouse
4. The reasons in favor of the concession of the dissolution
5. If the Petitioner is allowed to marry the Intended Spouse, will there be any scandal or unusual comment?
6. Any further remarks, which the Pastor deems appropriate

PROMISES

The Promises need to be signed when either party to the desired marriage is not Catholic. In other words, you need to sign them if either you or your Intended Spouse are not Catholic. You will need to meet with your pastor and sign them in his presence.

PROMISES OF THE CATHOLIC PARTY

In the presence of the undersigned priest, I _____,
hereby promise to practice my faith, and to fulfill to the best of my ability my obligation to have all children who may be born to our marriage baptized in the Catholic Church and carefully raised in the knowledge and practice of the Catholic faith.

Signature of the Catholic Party

PROMISES OF THE NON-CATHOLIC PARTY

In the presence of the undersigned priest, I _____,
hereby promise that I shall permit my spouse to practice the Catholic religion and to fulfill the solemn promise that all the children of our marriage will be baptized and raised only in the Catholic faith.

Signature of the non-Catholic Party

CERTIFICATION

I, _____, the undersigned priest, pastor of the parish of _____,
of the Archdiocese of Atlanta, hereby certify that both parties have freely made the above promises in my presence.

Signed at (city, state) _____, on _____.

Signature of the Pastor

[Seal of the parish]

PETITION
FOR DISSOLUTION OF MARRIAGE *IN FAVOREM FIDEI*

I, _____, Petitioner herein, hereby humbly ask that the Holy Father grants the dissolution *in favorem fidei* of my marriage with _____, Respondent herein.

The marriage took place at (city, state) _____ on (date) _____.

At the time of said marriage, I was ☐ not baptized ☐ baptized.

The Respondent was ☐ not baptized ☐ baptized.

Currently, I am a ☐ Catholic ☐ Catechumen ☐ non-Catholic Christian ☐ non-Christian.

It is my desire to marry _____, my Intended Spouse, in the Catholic Church.

My Intended Spouse is a ☐ Catholic ☐ Catechumen ☐ non-Catholic Christian ☐ non-Christian.

The reasons for my petition are: (mark as appropriate)

- ☐ The estrangement from my former spouse with no prospect for reconciliation;
- ☐ My peace of conscience and desire to live a moral life;
- ☐ My desire to be free to marry a Catholic in the future;
- ☐ My desire to validate my present civil marriage to a Catholic;
- ☐ My desire to maintain a Catholic home and raise my children Catholic;
- ☐ The conversion of my civil spouse who desires to embrace the faith.

Signed at (city, state) _____ on (date) _____.

Signature of the Petitioner