

METROPOLITAN TRIBUNAL

ARCHDIOCESE OF ATLANTA



INSTRUCTIONS

The present form can be filled in either by hand or on the computer. If you choose to 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. In any case, do not forget to sign where it is indicated.

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

Do not rush through 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 in question is the "Respondent".

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.

If you, the Respondent, or your witnesses change addresses, notify the Tribunal as soon as possible.

It is not possible to know in advance how long this process will take. Do not set a date for a wedding before this process has finished.

DOCUMENTS

All the following documents must be submitted with this Petition:

- Complete and accurate mailing address of the Respondent. If you do not know it, you must prove of your efforts to locate the Respondent. No case can be accepted without this information.
- Recent Baptismal Certificate for the Petitioner, issued within the last 6 months. If you are a Catholic now, but you were baptized in a non-Catholic community, certificate of your reception in the Catholic Church.
- Civil Marriage License or Marriage Certificate for the marriage in question.
- Civil Decree of Divorce for the marriage in question (containing judge's signature).
- Signed Mandate of Appointment of Advocate.
- Signed Petition page.
- Signed Agreement of Understanding.
- Signed Acceptance of the Electronic Transmission of Data policy.

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

For Tribunal use: Date Received

Prot. Num.

AGREEMENT OF UNDERSTANDING

1. I understand that, if the Tribunal accepts my case for consideration, it cannot and does not guarantee that an Affirmative decision will be given in the case.
2. I understand that the Tribunal cannot ever guarantee that a case will be concluded by a certain date. As such, I agree to wait until I receive a final decision in writing from the Tribunal before I set a definite date for a marriage in the Catholic Church.
3. I understand and accept that Church 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 Tribunal with the full current address of my former spouse. All reasonable efforts to locate my former spouse must be exhausted to the satisfaction of the Tribunal. The requirement of contacting my former spouse may be omitted only in the most extreme circumstances, and only then with the approval of the Judicial Vicar.
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 to the Tribunal.
5. I understand that the Metropolitan Tribunal of Atlanta, in the investigation of the case, may employ the services of a court expert or other expert witness and I hereby authorize the Tribunal to disclose complete information concerning my case to such a professional for case review. Upon completion of the case, I also authorize the Tribunal to release information regarding the case to a psychological expert, counselor, priest, or deacon for follow-up counseling as well as for pre-marital preparation presently or in the future. It is understood that otherwise all contents of this investigation will be kept confidential, reserved exclusively to the parties to the case and to the staff of the Tribunal, 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 order to assist the Tribunal to maintain an atmosphere of candor and openness in testimony and in recognition of the spiritual and religious nature of these proceedings, 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 proceeding because all testimony in this case is given for the possible ecclesiastical declaration of nullity of my marriage; and, because 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 assessed in a case transmitted to Rome on appeal and that the party who initiates the appeal will be responsible for the fee.

Accepted in (City, State) _____, on _____.

Signature of the Petitioner

Signature of the Advocate

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.

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

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.

Accepted in (City, State) _____, on _____.

Signature of the Petitioner

Signature of the Advocate

PETITIONER'S GENERAL INFORMATIONLanguage preferred: 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: _____

Were you baptized before the marriage in question? ____

If yes, 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: _____

Is there any Eastern Rite (Catholic or Orthodox) affiliation in your family background (Byzantine, Ruthenian, Ukrainian, Maronite, Greek Catholic, etc.)? ____

If yes, which? _____

Are you and the Respondent in regular contact? ____

Did you notify the Respondent that you are applying for a declaration of nullity? ____

If no, why didn't you notify the Respondent? _____

Do you understand that the Respondent has the right to participate actively in this case? ____

Do you think that the Respondent will participate actively in this case? ____

Why? _____

RESPONDENT'S GENERAL INFORMATIONLanguage preferred: 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: _____

Before marrying you, was the Respondent baptized? ____

If yes, 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: _____

Is there any Eastern Rite affiliation (Catholic or Orthodox) in the Respondent's family background (Byzantine, Ukrainian, Maronite, Greek Catholic, etc.)? ____

If yes, which? _____

UNLOCATABLE RESPONDENT

The address of the Respondent is extremely important. If you do not know it, you must complete this page. 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:

Please check the efforts you have made to locate the Respondent.

Please attach the documentation to prove that you have tried each option listed below.

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

You must also explain why your efforts were unsuccessful.

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

If you or the Respondent were married to other persons before the marriage in question, please complete the information below.

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

If you have a sentence or decree declaring invalid or dissolving a previous marriage of yours or of the Respondent, please attach them to this Petition.

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

PETITIONER'S PRIOR MARRIAGES

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'S PRIOR MARRIAGES

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: _____

COURTSHIP

When did you meet the Respondent? _____

Where? _____

How did you meet the Respondent?

Length of courtship until marriage: _____

Was there an engagement period? _____

If there was no engagement, why?

Date of engagement: _____

Length of engagement: _____

Did you live together before the wedding? _____

If yes, how long before the wedding? _____

Was there a pregnancy before the wedding? _____

If yes, was it the reason why you married? _____

Did you enter into a pre-nuptial agreement? _____

If yes, please attach a copy of the agreement to this
Petition.

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?

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*)

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 you had or adopted:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

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 QUESTIONS

Are you enrolled in RCIA? _____

If yes, in which parish? _____

City, State _____

Have you been civilly married to other persons since your divorce with the Respondent? _____

If the answer is yes, please explain briefly:

Have you ever petitioned for a declaration of nullity of this marriage before other Church Tribunals? _____

If yes, name of Tribunal: _____

Case number and date: _____

ABOUT YOUR INTENDED SPOUSE

Do you have plans to marry in the Catholic Church? ____

Are you civilly married to your intended spouse? _____

First name of intended spouse: _____

Middle name: _____

Current last name: _____

Maiden name: _____

Street address: _____

City, State: _____

Zip code: _____

Religion: _____

Date of Birth: _____

Is your intended spouse enrolled in RCIA? _____

If the intended spouse is in RCIA, in which parish?

City, State _____

Was your intended spouse ever married before? _____

If yes, be sure to speak with your Advocate or Pastor about this.

WITNESSES

Once you have identified the possible grounds for your case with the help of your Advocate, now you need to name witnesses to support your claim.

Only name witnesses who know about the facts that you allege made your marriage invalid. The best witnesses are usually friends, co-workers, family members, roommates, or others who knew both you and the Respondent before the marriage and at the time of the wedding. It is essential that you do not instruct the witnesses what they are to tell to the Tribunal. They must give independent, honest testimony.

Before submitting their names, personally contact each witness and make sure they are willing to give their testimony. It is the policy of this Tribunal not to hear the testimony of the children of the parties.

Usually the number of witnesses is between 3 and 5. In any case, the witnesses' quality is more important than their quantity.

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 4

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 5

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? _____

Witness 6

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? _____

PROFESSIONAL OR EXPERT WITNESSES

The testimony of certain professionals and experts can be very useful to prove your case. Please indicate below what of the following professionals or experts you or the Respondent worked with, before, during and/or after the marriage, and who was seen by the professional or expert:

- | | | | |
|------------------------------------------------------------------------|---------------------------------|-----------------------------------------|-------------------------------|
| <input type="checkbox"/> Licensed Counselor | <input type="checkbox"/> Myself | <input type="checkbox"/> The Respondent | <input type="checkbox"/> Both |
| <input type="checkbox"/> Psychologist, Psychiatrist | <input type="checkbox"/> Myself | <input type="checkbox"/> The Respondent | <input type="checkbox"/> Both |
| <input type="checkbox"/> Clinical Social Worker | <input type="checkbox"/> Myself | <input type="checkbox"/> The Respondent | <input type="checkbox"/> Both |
| <input type="checkbox"/> Medical Doctor or other health professional | <input type="checkbox"/> Myself | <input type="checkbox"/> The Respondent | <input type="checkbox"/> Both |
| <input type="checkbox"/> Pastoral counselor, spiritual counselor | <input type="checkbox"/> Myself | <input type="checkbox"/> The Respondent | <input type="checkbox"/> Both |
| <input type="checkbox"/> Priest, minister, or other religious official | <input type="checkbox"/> Myself | <input type="checkbox"/> The Respondent | <input type="checkbox"/> Both |

In order for the Tribunal to obtain their testimony, you must sign a Release of Confidentiality. If the Respondent was seen, he or she will need to sign a Release of Confidentiality as well. Are you willing to sign a release? _____

Expert's contact information:

Expert 1

Language preferred: English Español Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Approximate dates of consultation: _____

Expert 2

Language preferred: English Español Tiếng Việt

Title and name: _____

Street address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Approximate dates of consultation: _____

If you saw other professionals and experts whose testimony will be helpful for your case, please provide their contact information on a separate sheet of paper.

If psychiatric or psychological illness played a role in the problems of this marriage, it will be helpful to the case if you submit certified (notarized) copies of any medical or hospital records which show a diagnosis and treatment dates.

If physical abuse occurred in the marriage, it will be helpful to submit certified (notarized) copies of any records regarding this, such as medical, hospital, or police records.

MANDATE OF APPOINTMENT OF ADVOCATE

I, _____, hereby appoint _____ as my Advocate in conformity with canons 1481-1490 of the Code of Canon Law. This mandate is valid exclusively in the canonical forum and for the purposes of the present process of declaration of nullity of my marriage before the ecclesiastical tribunals.

Given at (City, State) _____, on _____.

Signature of the Petitioner

Signature of the Advocate

INSTRUCTIONS FOR FILLING IN THE PETITION PAGE

The following page is a legal document in which you formally request a declaration of nullity of your marriage from the Metropolitan Tribunal of Atlanta.

You do not need to write the full addresses for you and the Respondent on the Petition page, only the city and state.

Only write the full name of each of your witnesses, you do not need to provide their addresses on the Petition page.

It is important that you complete the Petition only after you have met with your Advocate and identified the grounds you intend to propose. Your Advocate will tell you how to write the names of the grounds, always indicating if each ground pertains to the Petitioner, the Respondent, or both.

In some cases, both spouses want their marriage to be declared invalid and they apply together, with a single petition signed by both of them. If this is your case, contact the Tribunal for instructions on how to fill in the following page.

Please note, the Tribunal will send a copy of this page to the Respondent, as required by Church law.

The bottom part of the Petition page is only for the Tribunal. Please, leave it blank

PETITION FOR A DECLARATION OF NULLITY OF MARRIAGE

In accordance with canons 1501-1504 of the Code of Canon Law and art. 116 of *Dignitas Connubii*,

I, _____, Petitioner herein, with domicile in (City, State) _____,

hereby request that the Metropolitan Tribunal of the Archdiocese of Atlanta declares invalid my marriage with

_____, Respondent herein, with domicile in (City, State) _____.

The marriage took place at (City, State) _____ on (date) _____.

I contend that this marriage was invalid on the grounds of:

Based on the following facts:

I name the following witnesses who are knowledgeable about the above grounds and who are willing to offer testimony:

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |

Signed at (City, State) _____, on _____.

Signature of the Petitioner

Signature of the Advocate

For Tribunal use only:

In accordance can. 1676 §1, and whereas this Tribunal is competent by virtue of can. 1672, I hereby accept the Petition for adjudication in first instance. Furthermore, I hereby cite the Parties and the Defender of the Bond for the determination of the Joinder of the Issues. This Decree is to be communicated to the Parties and the Defender of the Bond, and they are to respond within fifteen (15) days of the notification.

Given at the Metropolitan Tribunal of the Archdiocese of Atlanta, on _____.

Judicial Vicar

Notary