



## APPLICATION CHECKLIST: DOCUMENTARY CAUSE OF NULLITY OF MARRIAGE

The Lord spoke to Moses and said, Say this to the Israelites: These are the rules for anyone who inadvertently transgresses any of the commandments of the Lord and does anything prohibited by them Lev. 4, 1-2.

Please make sure that all of the materials required to process your cause are properly submitted together. Please print single-sided. Use this checklist to make sure you have included everything.

### **Documents and Papers Requiring Signature(s) of Petitioner and Advocate**

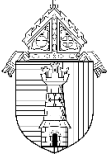
- Libellus** (Formal Petition)
- Application** (including *Facts Sheets and Statement of Understanding*)
- Appointment of Procurator/Advocate Form**
- Advocate's Initial Brief** – cover letter; only needs Advocate's signature

### **Required Civil and Ecclesiastical (Church) Documents\*\*\***

- A recent (last 6 months) baptismal certificate** with all notations or proof of Profession of Faith for each and every party who is Catholic or joined the Catholic Church. *When applying for this document from your parish of baptism, please be sure to ask for "notations" to be included;*
- Civil Application for Marriage License** (ask specifically for this exact form from the county where you obtained your marriage license) with attached **Certificate of Marriage** for the marriage being examined;
- Catholic Marriage Certificate** for the marriage being examined (if applicable);
- Civil Divorce/Dissolution Decree** (which must include the official stamp showing the filing date) and complete Separation Agreement for the marriage being examined;
- Legal change of name** if not documented in the civil termination papers.

**\*\*\* Note that additional documents are usually required depending on the specific impediment is alleged to have existed prior to the attempted marriage. Please see the GROUNDS OF NULLITY EXPLANATIONS document for more information.**

No petition will be accepted until all required signatures and/or documents and forms have been submitted to the Tribunal. Return this checklist with your application. Be sure to duplicate any document you may be submitting for any other former marriage.



Toledo Diocesan Tribunal  
 www.toledodiocese.org  
 1933 Spielbusch Avenue  
 Toledo, OH 43604  
 Ph. 419.244.6711

**APPOINTMENT  
 OF PROCURATOR/ADVOCATE  
 FOR THE PETITIONER**

***This is an official document which affects your rights; please read carefully.***

*It is required for Petitioners who want an Advocate and are submitting petitions via the Ordinary, Documentary, or Abbreviated Processes.*

I, the undersigned Petitioner in the above captioned matter humbly submitted before the Tribunal of the Diocese of Toledo, mandate the appointment of the pastoral minister whose name appears at the bottom of this form as my Procurator and Advocate to represent me, with the full faculty of performing in my name all useful and necessary acts in the processing of my cause before the Court of the First Grade, the Diocese of Toledo, and in all other grades of Trial. I have kept a copy of all the materials I am submitting.

\_\_\_\_\_  
**Petitioner's Printed Name**

\_\_\_\_\_  
**Signature of Petitioner**

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

\*\*\*\*\*

**ACCEPTANCE OF THE MANDATE OF THE PETITIONER**

I, the undersigned pastoral minister, have carefully and thoroughly reviewed this petition with the Petitioner, and have explained the meaning and importance of each of the forms. All required documents are enclosed. I have retained a copy of all materials for my personal records so that I may faithfully discharge my obligations in this matter.

I hereby accept the Mandate of the Petitioner and Appointment by the Tribunal to serve as Procurator and Advocate for the Petitioner. In assuming this function, and agreeing to assist the Petitioner, I understand that it is my obligation in Law to regularly contact the Tribunal on the progress of this case.

\_\_\_\_\_  
**Procurator/Advocate's Printed Name**

\_\_\_\_\_  
**Signature of Procurator/Advocate**

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

\_\_\_\_\_  
**Full Mailing Address of Procurator/Advocate**

*\* Please note that a party may appoint as many Advocates as desired, but only one Procurator (cf. c. 1482). One person is allowed undertake both functions simultaneously if desired.*

## FACTS OF THE MARITAL CONSENT BEING EXAMINED

**PETITIONER**

**RESPONDENT**

<b>Full name</b>	
<b>(Maiden name)</b>	
<b>Street address*</b>	
<b>City, state, zip</b>	
<b>Phone</b>	
<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work <input type="checkbox"/> Other	<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work <input type="checkbox"/> Other
<b>Email address</b>	
<b>Birth date</b>	
<b>Age when married</b>	
<b>Religion when married</b>	
<b>Religion of baptism</b>	
<b>Date of baptism</b>	
<b>Parish of baptism</b>	
<b>Address of church</b>	
<b>City, state, zip</b>	
<b>Current religion</b>	
<b>Parish now attending</b>	
<b>Name of mother</b>	
<b>Her current address</b>	
<b>City, state, zip</b>	
<b>Name of father</b>	
<b>His current address</b>	
<b>City, state, zip</b>	

*\* This is required. If you truly have no idea where the Respondent lives, please read and fill out the form on page 10 of this application.*

## THE RELATIONSHIP

<b>Estimated date courtship began:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b>Length of courtship:</b> <input style="width: 95%; height: 20px;" type="text"/>
<b>Date of engagement:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b>Length of engagement:</b> <input style="width: 95%; height: 20px;" type="text"/>
<b>Date of marriage:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b>Length of marriage:</b> <input style="width: 95%; height: 20px;" type="text"/>
<b>Church or place of marriage:</b> <input style="width: 98%; height: 20px;" type="text"/>	
<b>Address of church or place of marriage:</b> <input style="width: 98%; height: 20px;" type="text"/>	
<b>Name of minister/officiant of marriage:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b>Denomination (if applicable):</b> <input style="width: 95%; height: 20px;" type="text"/>
<b>City, state, county of marriage license:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b><i>Application for Marriage License file no.:</i></b> <input style="width: 95%; height: 20px;" type="text"/>

**If the ceremony was not performed in a Catholic rite, was it ever convalidated or sanated (“blessed”) by the Catholic Church?**  No  Yes, Date: \_\_\_\_\_  
Parish w/ City & State: \_\_\_\_\_

**Was a dispensation required for a marriage to be held outside the ordinary form, or for a Disparity of Cult?**  No  Yes,\* diocese and protocol number: \_\_\_\_\_  
*\*Please contact the parish where the marriage file is retained in order to get this number<sup>1</sup>*

**Who obtained the civil**  divorce  dissolution?  Me  Respondent  Both/Joint

<b>Date of separation:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b>Date of civil divorce/dissolution <i>from file stamp on the decree:</i></b> <input style="width: 95%; height: 20px;" type="text"/>
<b>File number of divorce/dissolution decree:</b> <input style="width: 95%; height: 20px;" type="text"/>	<b>County and state of divorce/dissolution:</b> <input style="width: 95%; height: 20px;" type="text"/>

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<sup>1</sup> The parish is generally the territorial parish of the parties or that where the non-Catholic place of marriage is located.

**CHILDREN OF THIS MARRIAGE**

<b>Full name:</b> <input type="text"/>	<b>Date of birth:</b> <input type="text"/>
<b>Full name:</b> <input type="text"/>	<b>Date of birth:</b> <input type="text"/>
<b>Full name:</b> <input type="text"/>	<b>Date of birth:</b> <input type="text"/>
<b>Full name:</b> <input type="text"/>	<b>Date of birth:</b> <input type="text"/>
<b>Full name:</b> <input type="text"/>	<b>Date of birth:</b> <input type="text"/>
<b>Full name:</b> <input type="text"/>	<b>Date of birth:</b> <input type="text"/>

*(Please be sure to include any adopted children. Attach additional sheets as needed)*

**Who was awarded principal custody?**  Me  Respondent  Other

**Who has primary custody now?**  Me  Respondent  The children are now adults

**Has child support assessed by the Court been fully met?**  Yes  No (explain):

**PETITIONER'S CURRENT INTENTIONS**

**Please check all that apply:**

- I have no plans to enter marriage
- I am engaged to be married or seriously dating someone
- I have already entered a new civil marriage

Full name of significant other: \_\_\_\_\_

Address: \_\_\_\_\_

Religion: \_\_\_\_\_

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

*\* Please note that this person is not free to marry in the Catholic Church unless his/her spouse has died or a declaration of nullity/lack of canonical form has been obtained.*

## FACTS SHEET: *LIGAMEN* (PRIOR BOND)

*If you are submitting a petition via the documentary process on the ground of *ligamen* (your former spouse was married before marrying you), please fill out this supplemental page completely.*

### THE RESPONDENT'S PRIOR SPOUSE (CO-RESPONDENT)

<b>Full Name:</b> <input style="width: 95%;" type="text"/>	<b>Maiden Name:</b> <i>if applicable</i> <input style="width: 95%;" type="text"/>
<b>Current Mailing Address:</b> <input style="width: 99%;" type="text"/>	
<b>Personal Email:</b> <input style="width: 95%;" type="text"/>	<b>Phone Number:</b> <input type="checkbox"/> H <input type="checkbox"/> W <input type="checkbox"/> C <input style="width: 95%;" type="text"/>
<b>Religion of Baptism:</b> <input style="width: 95%;" type="text"/>	<b>Date of Baptism:</b> <input style="width: 95%;" type="text"/>
<b>Religion when Married:</b> <input style="width: 95%;" type="text"/>	<b>Current Religion:</b> <input style="width: 95%;" type="text"/>
<b>If deceased, date of death:</b> <input style="width: 95%;" type="text"/>	<b>Evidence of date of death (which is enclosed):</b> <input style="width: 95%;" type="text"/>

### MARRIAGE OF RESPONDENT AND CO-RESPONDENT

<b>Date of marriage:</b> <input style="width: 95%;" type="text"/>	<b>Church or place of marriage:</b> <input style="width: 95%;" type="text"/>
<b>Address of church or place of marriage:</b> <input style="width: 99%;" type="text"/>	
<b>Name of minister/officiant of marriage:</b> <input style="width: 95%;" type="text"/>	<b>Denomination:</b> <i>if applicable</i> <input style="width: 95%;" type="text"/>
<b>City, state, county of marriage license:</b> <input style="width: 95%;" type="text"/>	<b>Application for Marriage License file no.:</b> <input style="width: 95%;" type="text"/>

*Please enclose both the civil application for marriage license and the Catholic marriage certificate (if applicable).*

**If the ceremony was not performed in a Catholic rite, was it ever convalidated or sanated (“blessed”) by the Catholic Church?**  No  Yes, Date: \_\_\_\_\_  
Parish w/ City & State: \_\_\_\_\_

**Was a dispensation required for a marriage to be held outside the ordinary form, or for a Disparity of Cult?**  No  Yes,\* diocese and protocol number: \_\_\_\_\_

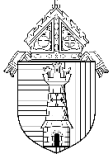
*\*Please contact the parish where the marriage file is retained in order to get this number<sup>2</sup>*

<b>Date of civil dissolution:</b> <i>from file stamp on the decree</i> <input style="width: 95%;" type="text"/>	<b>County and state:</b> <input style="width: 95%;" type="text"/>	<b>File number:</b> <input style="width: 95%;" type="text"/>
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*Please enclose this divorce/dissolution decree with your application.*

<sup>2</sup> The parish is generally the territorial parish of the parties or that where the non-Catholic place of marriage is located.





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**STATEMENT OF  
 UNDERSTANDING  
 MARRIAGE NULLITY:  
 DOCUMENTARY CAUSE**

*Please sign and date the statement below:*

I believe that the above-mentioned marriage may have been invalid according to the law of the Catholic Church based on the facts and proofs that are proposed herein, and I request that the Tribunal of the Diocese of Toledo judge whether this marriage is proven to be invalid.

I recognize that the materials gathered for this judicial process are open to the officials of the Tribunal and are available for review by the Respondent. I understand that my *libellus* (formal petition) will be sent to the Respondent to ensure that his/her rights are protected in this process.

I understand that it is my duty to provide a viable address for the Respondent in my *libellus* (Formal Petition), and providing a wrong or incomplete address for the Respondent will cause serious delays in the case.

I understand that no guarantee can be made as to the outcome of the case, that no definite time frame for a completion date can be established, and that no date for a new marriage can be set by a parish priest or deacon unless an affirmative decision is issued and no appeal has been made by either party or the Defender of the Bond. I recognize that this process is a purely ecclesiastical one and has no effect whatsoever on United States federal or state civil law.

I understand that the burden of proof is on me to overturn the legal presumption that my marriage is valid (c. 1060).

**I swear before God and my conscience that all of the above information provided in this Application is true to the best of my knowledge and memory.**

\_\_\_\_\_  
**Petitioner's Printed Name**

\_\_\_\_\_  
**Signature of Petitioner**

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

\_\_\_\_\_  
**Procurator/Advocate's Printed Name**

\_\_\_\_\_  
**Signature of Procurator/Advocate**

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





**SUBSTANTIATION OF RESPONDENT WHEREABOUTS UNKNOWN**

A declaration of nullity affects two people: you and your divorced spouse (the Respondent). Both of you have rights in the process and ought to be actively involved. If you truly do not know the whereabouts of the Respondent, please indicate the steps you have taken to attempt to find that person.

*Please attach documentation for each action taken, e.g., a print out from an internet search (such as [www.whitepages.com](http://www.whitepages.com)) and copy any discussions with the Respondent's relatives, friends, co-workers, etc.*

*Please be diligent in your attempts to locate the Respondent, mindful that if you do not sufficiently document those attempts, the Tribunal staff will do an independent search. If any monetary expenses are incurred as a result of such searches by the Tribunal staff, the cost will be billed to you.*

<b>Date:</b>	<b>Action Taken:</b>
<b>Result:</b>	
<hr/> <hr/> <hr/>	

<b>Date:</b>	<b>Action Taken:</b>
<b>Result:</b>	
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<b>Date:</b>	<b>Action Taken:</b>
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<b>Date:</b>	<b>Action Taken:</b>
<b>Result:</b>	
<hr/> <hr/> <hr/>	

\_\_\_\_\_  
**Signature of Petitioner**

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

\_\_\_\_\_  
**Signature of Advocate**

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