WHICH PROCESS SHOULD I USE?
Diocese of Toledo Tribunal

ORDINARY PROCESS – Only used when all of the following apply:
- One of the following scenarios:
  - Two Catholics marry before a Catholic priest/deacon and two witnesses
  - A Catholic marries a baptized non-Catholic before a priest/deacon and two witnesses
  - A Catholic marries an unbaptized non-Catholic before a priest/deacon and two witnesses with a dispensation from disparity of cult
  - A Catholic marries a baptized or unbaptized non-Catholic outside of a Catholic ceremony with a dispensation from canonical form and disparity of cult (if necessary)
  - Two non-Catholics marry according to their own church and civil laws
- No invalidating impediments to marriage existed for either spouse which are provable by documents alone (see Documentary Process)
- ABBREVIATED PROCESS – only used when the above things apply, AND:
  - The petition is proposed by both spouses or by one of them with the consent of the other;
  - Circumstances of things and persons recur, with substantiating testimonies and records, which do not demand a more accurate inquiry or investigation, and which render the invalidity manifest (in other words, invalidity is obvious to someone without formal training in Church jurisprudence)

DOCUMENTARY PROCESS – Only used when all of the following apply:
- At the time of the marriage, there was an invalidating impediment on one or both parties which is provable by certified documents (see GROUNDS OF NULLITY EXPLANATIONS for more information on invalidating impediments and the documents necessary to prove them)
- For the ground of ligamentum (prior bond) specifically:
  - At the time of the marriage, the Petitioner’s former spouse (Respondent) was previously validly married to another person (Co-Respondent)
  - The Respondent & Co-Respondent’s marriage was never declared invalid or otherwise dissolved by authorities in the Church
  - The Co-Respondent had not died prior to the marriage of the Petitioner and Respondent
  - Please note that if the first marriage is later discovered to have been invalid, there was never any impediment to the second marriage

ABSENCE OF FORM – Only used when all of the following apply:
- At least one party was a baptized Catholic prior to the exchange of consent
- The parties attempted marriage outside of canonical form (usually this means going to a civil court to marry)
- No dispensation from canonical form was obtained prior to the attempted marriage
- No convalidation (“blessing”) or sanation of the consent took place after the fact

REQUEST FOR PAULINE PRIVILEGE – Only used when all of the following apply:
- There was a valid marriage between two unbaptized persons;
- One and only one of the spouses (the Petitioner) is subsequently baptized or desires to be baptized;
- The unbaptized spouse refuses to cohabit peacefully and there is no possibility of restoring conjugal life;
- The Petitioner now wishes to marry someone else in order to practice the faith;
- Neither the Petitioner nor the Intended Spouse was the prevailing cause of the breakup of conjugal life;
- No scandal would arise from the dissolution of the marriage;
- Catholic party marrying a non-Catholic must ensure safeguard of faithfulness and raise children likewise
**FLOW CHART FOR DETERMINING THE PROCESS TO USE**

Were one or both of you ever baptized Catholic* prior to your wedding day?

*Note: all other questions about baptism refer only to Christian baptism, not necessarily Catholic baptism.

**YES**

Did your marriage take place in the presence of a priest/deacon and at least two witnesses?

**NO**

Did you get a dispensation to get married outside of the Church before the wedding?

**NO**

Did you ever obtain a convalidation (“blessing”) or sanation for your relationship in the Catholic Church?

**NO**

ABSENCE OF FORM APPLICATION

**YES**

ORDINARY PROCESS**

**NO/UNSURE**

Were you and your former spouse BOTH unbaptized at the time of your wedding?

**YES**

Did any of the impediments*** for marriage apply to you or your former spouse on the wedding day?

**NO**

Can this impediment be proven by means of public certified documents?*** (I.e. marriage certificate, birth certificate, baptismal certificate, etc.)

**YES**

Is your former spouse now baptized OR desiring baptism?

**NO**

Are you now baptized? OR Do you want to be baptized?

**YES**

PAULINE PRIVILEGE

**NO**

DOCUMENTARY PROCESS

***See the Grounds of Nullity Explanations document for a list of impediments and their ability to be examined via the documentary process.

****Alternatively could be abbreviated process before the bishop IF: (1) your former spouse agrees to petition with you or at least does not object to the process, AND (2) the nullity of your marriage is manifest.