

Received _____

Prot. N. _____

For office use only

LIBELLUS
PETITION FOR A DECLARATION OF NULLITY
THROUGH THE ABBREVIATED MARRIAGE NULLITY
PROCESS BEFORE THE BISHOP (*PROCESSUS BREVIOR*)

I, _____ hereby exercise my right to challenge my marriage to _____, before the Toledo Tribunal in accord with canon 1674 §1, 1°. I further request that the Tribunal of the Diocese of Toledo admit my *libellus* of the nullity of my consent to an examination by way of the abbreviated process before the diocesan bishop, His Excellency Daniel E. Thomas.

Our consent took place on _____ at _____
in _____ County, _____.

The following is a brief summary of the reasons that I am accusing my marriage of nullity from the moment of consent.

Furthermore, I allege that my marriage is manifestly invalid from the outset because

With these facts in mind, I request that the Toledo Tribunal examine the consent to the above-mentioned marriage on the basis of the following ground(s), which I have discussed with my Advocate:

I fully realize that a declaration that the consent exchanged between myself and my former spouse, the Respondent, was invalid depends on the proofs presented and that it is my responsibility to assure the Tribunal that adequate and truthful facts are offered for this examination. Here is a brief list of proofs that will be helpful in investigating the alleged ground in my cause:

Witnesses

- _____ –

- _____ –

- _____ –

- _____ –

In addition to the above proofs, the manifest nullity of my marriage can be supported by the following proofs to be collected at the instructional session:

The following documents, which support the manifest invalidity of my marriage, have been attached to this petition:

I understand that if the above requirements for the abbreviated process, including the manifest invalidity of my marriage and the consent of the Respondent to the use of the abbreviated process, are not met, my cause will be admitted to the ordinary process if it is otherwise admissible.

I further understand that even if my cause is admitted to the abbreviated process, it is not a guarantee of an affirmative decision and that if the bishop is not morally certain of the nullity of my marriage, my cause will be remitted to the ordinary process.

I understand that during the instruction of my cause, the parties and all the witnesses must come to the Tribunal of the Diocese of Toledo on the same day and at the same time to give a deposition, and that both I and the Respondent can be present at the examination of the parties and witnesses during the instruction of the cause unless the Instructor decides otherwise.

I understand that no assurance can be given of an affirmative decision, that is, one which recognizes that consent was invalid, nor can assurance be made of a definite timeline for the completion of this process. Furthermore, I understand that absolutely no arrangements can be made for a future Catholic marriage or convalidation unless and until I have received a final and favorable decision from the Toledo Tribunal and any and all appeals Tribunals to which this matter may be directed. I recognize that this process is an entirely ecclesiastical one with juridic effects at canon law but without any legal effects under United States civil law.

I understand that the Respondent has the same rights as I do in this process, including a right to participate fully, and as such will receive a copy of this *libellus* (c. 1508 §2) if not petitioning jointly for this process. If we desire to do so, the Respondent and I will both be permitted to review the acts, testimony, and definitive sentence of this cause at the appropriate times.

My current address is: _____

The Respondent's current address is: _____

I swear before God that all that is contained in this *libellus* is submitted freely by myself, the Petitioner, and is true to the best of my knowledge and memory.

Signature of Petitioner

Date

Signature of Petitioner's Advocate

Date

RESPONDENT'S CONSENT FOR USE OF THE ABBREVIATED PROCESS

I join with the Petitioner in petitioning for a declaration of nullity via the abbreviated process, and I agree with all of the allegations made by the Petitioner in the above *libellus*. I have signed all the places on the Application forms which require my signature.

OR

I do not join the Petitioner in petitioning for a declaration of nullity but I do consent to the use of the abbreviated process. I understand that this process entails fewer procedural protections of my right of defense.

Signature of Respondent

Date