

APPLICATION

for a Formal Declaration of Nullity of Consent to Marriage
Tribunal of the Diocese of Toledo in the Americas
1933 Spielbusch Ave. Toledo, Ohio 43604
Ph. 419-244-6711 FAX 419-244-4791

PLEASE READ CAREFULLY

Welcome to what we hope will prove to be a healing moment and a joyful encounter with the God of compassion and love. You will find a number of important forms which need to be filled out at the beginning of this packet, as well as the primary resource which we here at the Tribunal will be using to arrive at a decision on your Petition for Nullity of Consent to Marriage. Each of the forms is required by Church Law so that we can be thorough and perform our work promptly and efficiently, guaranteeing all of your rights in the church. Be sure that each form is filled out as fully as possible since missing information means delays and the possible rejection of a petition. You must also submit some official documents pertaining to the civil status of the marriage under examination. Be sure to send us the right ones or the case *will be delayed* while we return everything to you and ask for the correct legal documentation.

If you prefer to prepare the forms and answer questions in long hand, be sure to **print** answers so they are legible, and make sure to leave a 1.5-inch margin on the *left* side because everything is bound into a packet. Illegible submissions and those which we cannot bind will be returned, so be sure to follow these simple directions.

We will be placing our trust in the integrity of you as the Petitioner, but in order to make sure answers are objective, we will ask you to provide the names of several people who *knew you and your former spouse at or around the time of consent* who can verify both your integrity, and perhaps add a few valuable insights into what was happening in the lives of you and your former spouse as you prepared to exchange consent. You might choose to ask someone from the wedding party, close family members, co-workers with whom you may have discussed marriage, friends, or others who can shed some light on the quality of consent and your preparation to give and accept it. Since many people do not understand our processes, or may not want to offend you or your former spouse, please make sure you personally invite each person to be involved whose name you want to send along. Other than the personnel involved in the case, only you and, if he/she wishes, the former spouse, are permitted to review testimonies, and over the years we've discovered that by being honest, no one is offended by what any particular witness may have to say. However, if someone wants to invoke confidentiality, they may certainly do so but you and the witness should know that anything they do have to contribute remains in confidence so would not figure into the actual Sentence which concludes the case. This can be an important fact to keep in mind as you select witnesses.

As you begin, we want to remind you that our process *does not annul a marriage*, but does make a declaration that the consent to marriage was itself null and void. There is a big difference in those two notions. Marriage is a natural/religious celebration *and* a civil

contract. Our process does not have any effect on the civil contract, and we cannot nullify consent to marriage unless and until a civil termination to the marriage has been obtained and proof supplied to the Tribunal. Our process *does not nullify children*, or in any sense make them illegitimate or otherwise eliminate any civil or natural obligations a parent has toward children. In fact, our Law requires us to remind the parties who obtain an affirmative declaration of nullity of consent that *all of their obligations to children remain in force*. In fact, our Law also requires us to remind both parties that any civil obligations to a former spouse are in no way eliminated by what the Tribunal does or decrees, and all of those civil obligations must be met before a subsequent marriage in the Catholic Church can take place.

Because what we are going to examine is CONSENT, or the words and intentions of the couple at the actual marriage ceremony, much of what you will reflect upon and consider is the moment in time when the two of you got married. Our process uses consent as a kind of a focus toward which your childhood, adolescence and dating/courting behaviors were moving, and then sees consent as opening the door on how you and your former spouse shaped and developed the marital relationship. Because we are interested in consent, if there were problems which affected it, they must have been present at consent, not afterward. As you answer the questions we pose, please remember that something had to be wrong *at consent* which made your "I do" fail to bring about a binding covenant of all of life and all of love. If the facts all suggest that you had a great family, you had loads of friends, you got along well with everybody, and you had no bad habits that interfered with your plans for marriage, then consent would be presumed to be valid. Your petition must include some consideration of those problems and difficulties present the day of the marriage.

Very often, the events surrounding the termination or end of a marital relationship loom large in the minds of the parties, and one or the other may see these as proof of faulty consent while the other sees them as having nothing to do with consent. We do want to know the immediate motivation and causation for the separation and divorce/dissolution, but we remind you that the *end of a marital relationship does not prove the status or quality of consent* and as such is only one part of a much larger examination, as we hope you will discover as you move through the annulment process.

If you have any questions along the way toward completing the petition package, you can find a Frequently Asked Question (FAQ) page on the Toledo Diocesan web site, www.toledodiocese.org or please feel free to call upon your Advocate (the person at the parish who helped you begin this process). There is also a contact e-mail link on the web site so that you can ask one of our Tribunal personnel a question which is not addressed on the FAQ web page. When you complete the package, please return everything to the Advocate so he/she can review it with you and make sure everything we need here at the Tribunal has been included and perhaps clarify or expand on something in your testimony her/she discovers would be helpful. Your Advocate should also go over the check list of supporting documents to make sure nothing is missing as this can delay the adjudication of your petition. May the Spirit of God walk with you throughout this process and bring you the joy of God's presence. - The Staff of the Toledo Diocesan Tribunal

PETITIONER'S QUESTIONNAIRE DIRECTIONS

In order to provide a profile of each individual as well as a glimpse into the way they lived out the "partnership of the whole of life" marriage is intended to become, the annulment process examines the facts pertaining to the lives of two people who exchanged consent to marriage. The facts presented assist the Tribunal in determining whether the two parties did, or even could form a permanent, exclusive, and creative (procreation and education of children) bond to which God would ask them to remain faithful through their entire lives. It is not a process to assign guilt or to cast blame. However, it does ask you to deal honestly with who you were, who your former spouse was, and what you individually and mutually did.

Please, *before you begin to answer the following questions read through the seven master questions*. Set the packet aside and give them some thought. Then, using either a word processor or writing in black ink (so that copies we must make will be clear and legible) answer the questions as best you can. If using separate sheets of paper, **USE ONLY ONE SIDE** and leave a 1" margin at top, bottom and right side, and a 1.5" margin on the left (we must bind the data so nothing is lost). If preparing your answers in long hand, print them for us, please, so that there is no question about what you are writing. You may find it helpful to jot a few notes on the questionnaire as you go along, but please make sure that your final answers are complete and wherever possible, give examples of any general statements and be sure to send the entire original questionnaire back to us along with the answer sheets. Simple *yes* or *no* answers are not helpful to your case so go back and add detail where you responded with either a *yes* or a *no*. Before returning anything to the Advocate or the Tribunal, go through it and make sure you have signed at all the places required. **DO NOT E-MAIL ANYTHING TO THE TRIBUNAL WHICH IS PART OF THE FORMAL APPLICATION.**

Don't let the subsidiary questions bother you. There are seven aspects of the course of life leading to marriage which are being profiled: 1) the family of origin and how it influenced you 2) adolescent development and how you interacted with others growing up 3) school and the social dynamics you may have picked up there, 4) interpersonal or dating history, or what experience of life you may have brought to your courtship 5) courtship and engagement and how you moved through that to understand, propose, and accept marriage, 6) the marriage itself and subsequent establishment of community of life and 7) the history of problems which led to the ultimate decision to end the civil marriage. There is another general area which applies to Catholics who originally married outside the Church and who subsequently obtained some regularization of their marriage in the Church. Again, if you find the questionnaire daunting, please call on your Advocate to assist. He or she will be happy to work with you to complete this questionnaire. When you have completed it, you should go over it with your Advocate who may suggest additional areas to include that can be very helpful in adjudicating the matter here at the Tribunal.

The Diocesan Tribunal Toledo in America

FORMAL PETITION FOR DELARATION OF FREEDOM TO MARRY

I, _____, hereby petition the Tribunal of the Diocese of Toledo to declare invalid the consent to marriage I originally exchanged with _____, on the ground(s) of a defect of consent in accordance with evidence already in possession of the Tribunal.

I fully realize that a declaration that the consent exchanged by myself and my former spouse 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. If, therefore, after all possible information has been obtained, the Tribunal is still unable to give an affirmative decision; I wish to be informed so that I may exercise my right to withdraw the matter from consideration with the understanding that I can reopen the examination at a later date.

I have read and understand the following points with regard to my petition for an annulment:

1. No assurance can be given of an affirmative decision, that is, one which recognizes that consent was invalid;
2. No assurance can be given as to a definite time for the completion of the canonical process herein invoked;
3. **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; and
4. If the circumstances of the invalidity of consent so indicate, the Judge may require that I seek professional counseling before a marriage in the Catholic Church is permitted.

Date: _____

Signature of Petitioner _____

Signature of Advocate _____

PLEASE NOTE: It is imperative that every item on this page be completed for both you and your former spouse. Be sure to include all names, maiden names and other required information. If you do not know, please say so.

YOU

FORMER SPOUSE

_____ Complete Name _____

_____ Maiden Name _____

_____ Street Address _____

_____ City State & Zip Code _____

_____ Telephone/Cell Phone _____

_____ Birth Date _____

_____ Place of Employment _____

_____ Position or type of Work _____

_____ Religion when Married _____

_____ Religion of Baptism _____

_____ Parish of Baptism _____

_____ Address of Church _____

_____ City, State, Zip Code _____

_____ Date of Baptism _____

_____ Current Religion _____

_____ Parish Now Attending _____

_____ Complete Name of Father _____

_____ His current Address _____

_____ City, State, Zip _____

_____ Complete Name of Mother _____

_____ Mother's Maiden Name _____

_____ Her current Address _____

Facts of the Marital Consent Being Examined

1. Indicate the exact date of the marriage: _____

Church or place of the marriage: _____

Complete church address: _____

Witnessed by Priest/Deacon Other religious minister Civil Magistrate

If the ceremony was not in a Catholic Rite, was it ever blessed or validated by the Catholic Church? Yes No. If yes, where and when?

2. In what city, state and county did you obtain the license?

Please copy from the Application for Marriage License the file number __ (File number, volume and page, or other identifying number)

3. How long did you date/court before you married?

4. If you were engaged, how long was the engagement?

5. Once married, how long did you live together as husband and wife?

6. Who obtained the civil divorce dissolution: I did the respondent did

From the file stamp on the decree, give the date the decree was filed _____

From the decree, provide the file number: _____

In what county and state was the decree filed? _____

7. How many children were born to the union? How many were adopted?

Give the FULL NAME and birth date of each child born and the birth date and date of adoption of any children adopted:

8. Who was awarded principal custody I was the former spouse other

9. Has child support assessed by the Court been fully met? yes no (explain):

10. Who has primary custody now? I do former spouse the children are now adults

11. Was this your first marriage? yes no;
For your former spouse? yes no

If you answered no for either, please give the following information and be sure to repeat it for any other marriage you or your former spouse may have entered.

Name of my my former spouse's first marital partner:

Was this person ever baptized? yes no if yes, denomination

Date and place of previous marriage: _____

Date and place of civil termination of previous marriage_____

What made this marriage fail?

Has the consent to that previous marriage ever been declared null by the Catholic Church? yes no

Is so, when and where (which diocese):

Was the previous spouse married prior to the marriage? yes no

*If you had any subsequent marriages, please repeat the above information for each.

12. My present marital status is: single engaged remarried

If you are now engaged or remarried, please provide the following information:

To whom:_____

Street address of this person_____

City, State and Zip_____

Is this person a Catholic? yes no

If yes, to what parish does he/she belong?_____

Was this person ever married before? Yes no

If so, how did it end? death of the spouse civil divorce or dissolution

If by civil termination, was a Catholic annulment ever sought? yes no

If you answered yes, please indicate the diocesan tribunal, the case number, and the date a declaration of freedom (annulment) was granted.

SUBSTANTIATION OF WHEREABOUTS UNKNOWN OR NO CONTACT

A declaration of freedom to marry affects two people, you as the Petitioner and your former spouse. Both of you have rights in the process and ought to be actively involved. If you do not know the whereabouts of your former spouse, please indicate here the steps you have taken to attempt to find that person.

	On this date:	I took this action:	With this result:
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____

Signature of Petitioner: _____

Signature of Church Notary or Advocate: _____

Date _____

If you have a good cause that the former spouse not be contacted, proofs must be provided. Normally, these proofs are in the form of legal papers issued by a Court or some other civil magistrate (police or sheriff department) with the authority to require that no contact be made. If you have such orders, or such orders were issued by a public official, please submit them with this application or indicate the date of issuance, the civil jurisdiction (city, county or state) and the underlying reason the order was issued:

WITNESS FORM

The examination of consent in a Formal Case requires the submission of witnesses who can vouch for the integrity of the parties and perhaps shed a little light in the period at and around the time of consent. Since it is consent that is being examined, think back to the time of the wedding and consider several names which come to mind. These can be the family of party, friends, members of the wedding party, coworkers with whom the wedding plans were discussed, etc. Contact at least four of those people, invite them to honestly and objectively share what they recall (please be sure to give them permission to speak their mind) and list here the names of those who agree to assist. After providing the names, sign this form below.

Name: _____

Name _____

Address _____

Address _____

City, State Zip _____

City, State, Zip _____

Telephone # _____

Telephone # _____

Relationship _____

Relationship _____

(Indicate whether the person is related to you or your former spouse)

Name: _____

Name _____

Address _____

Address _____

City, State Zip _____

City, State, Zip _____

Telephone # _____

Telephone # _____

Relationship _____

Relationship _____

(Indicate whether the person is related to you or your former spouse)

I certify that I have personally contacted each of the above names witnesses and have obtained their agreement to assist in arguing my case. Each of them expects a short questionnaire and has agreed to return it promptly.

Petitioner's signature

You may wish to submit the name, address and phone number of any professional you consulted regarding the marriage. If you do, a release of confidentiality will be sent to you before we contact the professional(s) listed:

Name _____

Name _____

Address _____

Address _____

City, State, Zip _____

City, State, Zip _____

Telephone: _____

Telephone _____

Dates Visited _____

Dates Visited _____

Please indicate whether it was joint or individual counseling.

The Diocesan Tribunal Toledo in America

APPOINTMENT OF PROCURATOR/ADVOCATE FOR THE PETITIONER

This in an official document which affects your rights, please read carefully

Protocol/Case Number _____

I, the undersigned Petitioner in the above captioned matter now pending 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 to represent me, with the full faculty of performing in my name all useful and necessary acts in the processing of my case before the Court of the First Grade, the Diocese of Toledo, and in all other grades of Trial.

I further certify that I have contacted all my witnesses and they have agreed to participate openly and objectively. I understand that I am not to discuss the facts of the case or the possible questions and answers with these witnesses or any others who might be called upon to testify. I understand, and have informed all witnesses, that my former spouse has the legal right to review anything they might have to say.

I have kept a copy of all the materials I am submitting.

I now swear before God to the truthfulness of everything I have written in my Petition and in response to the Preliminary Questionnaire.

Date: _____ Signature of Petitioner: _____

ACCEPTANCE OF THE MANDATE OF THE PETITIONER

I, the undersigned pastoral Minister, have carefully and thoroughly reviewed the Petition and Preliminary Questionnaire with the Petitioner, and have explained the meaning and importance of each of the forms contained in the Formal Case packet. All required documents are enclosed. I have retained a copy of all materials and testimonies for my personal records so that I may faithfully discharge the obligations of the Procurator and Advocate.

I assure the Tribunal that the Respondent may be contacted without further notification, unless I have indicated in the appropriate section of the Petition (p.6) some special consideration(s) which require that the Respondent not be contacted. Witnesses may be contacted by direct mail and are expecting to be contacted.

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

Date: _____ Signature of Procurator/Advocate: _____

Print name of Procurator/Advocate here: _____

The Diocesan Tribunal Toledo in America

FORMAL CASE – F DONATION FORM

Remember: sparse, sowing, sparse reaping; sow bountifully, and you will reap bountifully. Each person should give as he has decided for himself; there should be no reluctance no sense of compulsion; God loves a cheerful giver. And it is in God’s power to provide you richly with every good gift; thus you will have ample means in yourselves to meet each and every situation

II Cor. 9,6-8

Protocol/case number: _____

Parties: _____

The Toledo Diocesan Tribunal charges no fee for processing a formal annulment case. The Tribunal is a pastoral ministry of the diocesan church and, like any other ministry, requires people who do the work and must be specially trained, offices where the work can be done, utilities, and insurance. Given the cost incurred for staff salaries, insurance, office expenses and the like, the ordinary “cost” of an annulment is \$800.00. Thanks to the generous support of the People of God, the Annual Catholic Appeal (ACA) funds the work of the Diocesan Tribunal. However, should you wish to offer a donation to help defray this cost and to support the ministry of the Tribunal, your gift would be greatly appreciated.

Total amount Petitioner wishes to offer \$ _____

Checks should be made out to “Diocese of Toledo”.

Please Note: If you cite a professional and the Tribunal is billed for her/his time and services, you are assuming the responsibility and obligation for those costs.

Date _____

Signature of Petitioner: _____

Signature of Procurator: _____

The Diocesan Tribunal Toledo in America

PETITIONER'S PRELIMINARY QUESTIONNAIRE

Before beginning this form, be sure to thoroughly read all the directions. Please leave a 1.5 margin (the same as on this page) at the left so that these pages can be bound and be sure to return this entire questionnaire with your responses.

It is necessary that the Tribunal hear the truth. Do you promise, in the sight of God, to tell the truth and only provide true and objective answers as you complete this Preliminary Questionnaire? **If yes, please sign your name here:**

-
- 1. What is your full name (first, middle, and surname)? If a woman, be sure to include your maiden name.**
 - 2. What is the full name (first, middle, and surname) of your former spouse? If a woman, be sure to include the exact maiden name.**

**My Son, observe your father's commands and do not reject the teaching of your mother;
wear them always next to your heart and bind them close about your neck;
Prov. 6,21-22**

- 3. As scripture reminds us, children are often influenced by and very loyal to the "teaching" provided by the family of origin. Please give the Tribunal a profile of your family, and its influence on your understanding of marriage. You may find it helpful to organize your responses around the following issues of family.**
 - a) How many brothers and sisters did you have and where do you fit into the mix? How well did your parents relate to one another as husband and wife called to live out an equal partnership? Did either of your parents seem to be more 'in charge' and how did this shape the partnership they modeled for you and your siblings? Describe the way your parents recognized problems, and then went on to resolve them. How well did your parents help you gain a wholesome attitude toward getting along with immediate and extended family? With friends and coworkers? What abnormal behaviors were present while you were a child or young adolescent (for example, alcoholism, gambling, infidelity, any kind of abuse (physical, emotional, mental, sexual), divorce which impacted the way you thought about yourself, others or marriage)? Describe the pattern and duration of any such behaviors. Were you unusually shy, bashful, backward or awkward as a child or young adolescent?

- b) To the best of your ability, answer those same questions about your former spouse and her/his family. If you do not know, why not?
- c) Were you close to anyone other than your parents, perhaps an aunt, uncle, grandparent, neighbor, teacher, friend, who influenced your attitudes and understanding of how to relate well to others? What was the general influence (good or bad) and why do you say that?
- d) Answer the same question about your former spouse and if you do not know, why not.
- e) Did you experience the untimely death of a family member, friend or classmate during childhood and early adolescence whose death significantly changed your own understanding of life and living or which impacted you in some particular way? If so, how old were you at the time and how did that death change your outlook on life?
- f) Answer the same question about your former spouse.

yield fresh. Can a fig tree, brothers and sisters, produce olives, or vine figs? No more can salt water

Jas 3,12

4. The personality and character of a person can be fleshed out by looking to the various developmental stages in her/his life. Please describe your later childhood and adolescence. You may wish to use the following points to help frame your response.

- a) Describe your personality as you entered your teens by sharing with the Tribunal how you got along with your parents, siblings and extended family. How well could you interact appropriately (or not) with peers, adults, teachers, employers, etc. If you include terms such as ‘typical’, ‘ordinary’, ‘wild’, or some other generic term, please explain *exactly* what you understand that word to mean and give an example or two.
- b) Answer the same for your former spouse and if you don’t know, why not?
- c) Tell the Tribunal a little about your academic progress from childhood to adulthood. Did you like school, find it difficult or too easy, were there behavioral issues at play. While in school, were you ever diagnosed with or treated for a developmental disorder and if so, what was it? Were you active in extracurricular programs and, if so, which ones? Were you able to get along with both boys and girls or did you find it difficult to mix and mingle with the opposite gender? Were you truant or miss class regularly and, if so, why? Were you a member of a particular clique, gang, or group while in school?
- d) Answer the same questions about your former spouse.

- e) Since academic achievement and career are part and parcel of personality, please consider the following points as regards your own academic performance and goals. Where did you go to school? What was your report card like? Were you pleased with your grades? What did you want to be 'when you grew up'? Did you pursue education of any kind after high school? If you went to college did you fall into any sort of crowd, partiers, studious types, sleep-in-late crowd, etc? What, if any, terminal degree(s) do you hold and did your marriage plans in any way interfere with your career goals or did those goals interfere with our marriage plans?
- f) Answer the same questions about your former spouse.

Your love is more fragrant than wine, fragrant is the scent of your perfume, and your name like perfume poured out; for this the beloved loves you. Take me with you, and we will run together

Sol. 1, 2B-4A

5. As scripture reminds us, dating and courting are important aspects of 'learning' about marriage and its romantic appeal. However, dating and courting are equally important in framing the way one considers marriage and its numerous obligations and responsibilities. Please tell the Tribunal about your own dating/courting experience and organize your response around these issues:

- a) When did you yourself begin to date? Until you met your former spouse, how many people did you date and were any of those persons people about whom you thought of as potential marriage partners? Had you ever discussed marriage with any of your boy/girl friends? If you were ever engaged prior to your engagement to your former spouse, what happened to end that relationship?
- b) Answer the same question about your former spouse.
- c) Often, young people become sexually active before marriage, did this occur in your own dating experience and, if so, how old were you when you became sexually active? How do you think the high emotion of sexual activity changed your perception of yourself, others or marriage? Prior to meeting your former spouse, had you lived with anyone in a marriage-like relationship and, if so, for how long [if you cohabited with anyone, please download the supplemental questionnaire on cohabitation and submit the answers with the Application so that the Tribunal can expedite your case].
- d) Answer the same question about your former spouse.
- e) What were the circumstances which led you and your former spouse to meet and what was it about that person that made you feel attracted and

desirous of furthering the relationship? What was the date you first met and how long after that did you become exclusive? Who pursued the relationship after you met? Were you sexually active with your former spouse while dating and, if so, how soon did this begin? Who suggested it? Was there any resistance or discussion about the emotional bonding which occurs with sexual intimacy? Did you live with your former spouse prior to the marriage, and if so, at whose suggestion? [Be sure to download the supplemental questionnaire on cohabitation and include the answers with this Application].

- f) While dating your former spouse what sorts of things did you do which enhanced your capacity to learn more about the personality and character of your intended? What did you do on a typical date, who chose the activities and did the choices seed any resentments or lead to arguments?
- g) Thinking back to the period of courtship, what problems do you now see which were present and never got properly addressed or resolved and which then carried over into the marital relationship? Did either of you break off the relationship, and if so, who departed and why did the courtship become rekindled? How were the underlying problems which led to any breakup during courtship resolved?

Jacob had fallen in love with Rachael and he said, 'I will work for seven years for your younger daughter Rachael'. Laban replied, 'It is better that I should give her to you than to anyone else; stay with me.'

Gen 29, 18-19

6. The process of getting married, as Scripture reminds us, is a period of working at better understanding the person of the intended, as well as disclosing one's own person to the beloved. Please describe the period leading from engagement to the wedding. You may find these issues helpful in preparing your response:

- a) Did either the courtship or engagement meet with any objection(s) and, if so, who was opposed, why, and did they apply any significant pressure on you or your former spouse to break off the relationship? As you look back, was their advice sound and ought you or your former spouse to have taken it? If so, what prevented you from paying attention to some good advice?
- b) After the engagement, to what extent did you and your former spouse discuss your expectations or hopes for the marital union? To what extent did the two of you understand and/or discuss the obligations of marriage would bring regarding fidelity, permanence and openness to children?
- c) While courting, and even during the engagement, did either you or your former spouse also 'date' others? If so, how did this lead to arguments, resentments or separations which were not fully resolved? Were either of you flirtatious during the engagement, or did either of you wish you had the freedom to explore other relationships?

- d) Who proposed and what were the circumstances? Was the acceptance immediate and, if not, why?
- e) Between the engagement and wedding, did either of you entertain serious 'second thoughts' about the upcoming marriage or discuss with your former spouse or anyone else the possibility of or desire for calling off the marriage or the chance that it might not work out? If you had such thoughts, or talked about these issues, how do you think that shaped your own mind as to the potential of a divorce in the future? While you were engaged, did any of your friends or family go through a divorce and, looking back, why were they justified in breaking up?
- f) Was there any significant pressure from outside to get married, perhaps the pressure of parents who wanted to be grandparents, friends all getting married, alleviation of loneliness in a new location or even an unexpected pregnancy? How did any such pressure make you fearful of delaying or calling off the marriage, or even of rushing into something for which you felt ill prepared?
- g) If you were involved in some premarital counseling, perhaps the Pre Cana or the Engaged Couple's Day or Weekend, after attending, what did you and your former spouse talk about that you either learned or resented about the sessions? What problems, if any, did the counseling reveal which did not 'go away' before or during the marriage?

'Sirs, it is true that the king is great, men are many, and wine is strong, but who rules over them? Who is the sovereign power? Women, surely! A man will desert his father who brought him up, desert even his country, and become one with his wife. He forgets father, mother, and country, and stays with his wife to the end of his days. A man loves his wife more than his father or mother.'

Esdras, 4:14,20,25

7. Throughout Sacred Scripture, marriage is consistently described as a partnership in which the husband and wife become a single entity. The Church, in her official documents, refers to marriage as a partnership of all of life and all of love. Consider how your own marriage came into being and whether it rose to the plateau of a genuine partnership or equals sharing all of life and all of love. You may find these following points helpful:

- a) One more time, please make notes here of the date when you and your former spouse met, the date of any engagement, and the date of the marriage. Looking at that time span, was it adequate to 'get to know' one another well enough to covenant all of life and all of love? If you answer 'yes', why do you say that if the two of you were not then able to fabricate such a timeless and equal union? What do you wish now that you or your former spouse had known the day of the wedding that rose up to prevent the formation of a genuine partnership that would endure all things? What did you know on your wedding day which you did not heed that warned the marriage might not work?

- b) Who planned the wedding ceremony and how important did the event become in contrast to the lifelong partnership to which you were to give your consent? Were there any unusual circumstances at the rehearsal? What was the wedding like? Were there problems or did either of you tell anyone, seriously or not, that the wedding was a mistake? Did any family or friends refuse to attend because they thought the wedding was a mistake?
- c) Where did you go for your honeymoon? Who chose the location? Was that a happy decision for both? Did anything unusual happen on the honeymoon that made you or your former spouse think you ought not to have married? If you did not enjoy a honeymoon, did either of you harbor resentments because this traditional aspect of marriage had to be avoided?
- d) As you settled into marriage, in what way did the relationship either become or fail to become an equal partnership in which there was mutual respect and care? As you worked yourself into this partnership, how well did the two of you collaborate on important issues and if the relationship became one-sided, why did that occur? How well were the two of you able to cooperate and compromise your own self-interest, goals and tastes to that of the mutuality created by consent to marriage? How well did the two of you communicate as both speaker and listener when problems arose?
- e) What 'little problems' were never resolved during the courtship and then carried over into the marriage? How did the two of you raise up these problems for conversation and resolution? What particular skills were missing which prevented the two of you from openly solving problems?
- f) How soon did the ordinary problems any couple faces in a marriage become insurmountable problems which drove the two of you apart? What specific problems were you not able to resolve and when did they first show up in your relationship?
- g) When did the possibility of or threat of divorce, even if not serious, first arise? If it occurred to either of you before the marriage that a divorce might arise, why did you then get married? Who first mentioned a possible civil termination of the marriage? Did anyone in your family or among your friends get a divorce while you and your former spouse were having problems and who then advised you to go through a civil termination and, if so, what did you think of either their own divorce or their advice?
- h) What were the high points, the best moments of the marriage and when did they occur? What were the low points and when did they occur?
- i) If there was any kind of abuse (verbal, emotional, mental, physical) or the abuse of alcohol, drugs or other behavioral situations, who exhibited those

behaviors and to what extent? Were any of these present before the marriage and, if so, why were they overlooked or not resolved? Were any of these behaviors connected to or the result of a mental condition either diagnosed or for which either of you was under treatment or counseling at any time in your life, either before or during the marriage? If a diagnosis was made, when did that occur? If a medical therapy was prescribed, was the regimen followed faithfully?

- j) Share your work history during the marriage as well as that of your former spouse (jobs, ability to get along with coworkers and supervisors, unusual friendships or work requirements that might have led to resentments). To what extent did work, career, or goals for future employment affect the quality of your marriage?
- k) When did really serious problems arise which actually led you or your former spouse to consider 'seeing a lawyer'? Describe the problems and why they could not be resolved by turning to a trusted friend, professional, counselor or clergy.
- l) What was the place of children in the marital relationship? How many did you have (and please list here again their names, birth dates, and, if applicable, the date of adoption). Were there children from any other relationship present in the marital household? Did the children in any sense create resentments, problems, or difficulties for the primary marital relationship? Were both of you good parents and, if not, what was the difficulty? To what extent did either of you lack parenting skills or, on the other hand, believe that being a parent outweighed the other obligations owed to a spouse and partner in all of life and all of love?
- m) Were both of you faithful to one another during the marriage? If there was any infidelity, how did it spring from an attitude which was present before the wedding? How do you know? Briefly outline the occasion(s) of infidelity as to when they began, who started them, how long they occurred and how they ended.

But you, God's chosen, must shun all this, and pursue justice, and piety, and fidelity, love, fortitude, and gentleness. Run the great race of faith and take hold of eternal life. For to this you were called; and you confessed your faith nobly.

1 Tim 6:11/12

8. The end of a marriage is traumatic and painful. However, the dynamic of the disruption and termination can be helpful in establishing not only the state of mind at the moment of consent, but can perhaps even reveal the inexorable will of God being worked out between the partners in a failed relationship. Please consider the final days of your marriage around these issues:

- a) Before the end came, were there any temporary separations, who initiated them, however long did each last, and why did the two of you reconcile? Was there any kind of counseling involved either before, during or following any of those separations and, if so, what sort of counselor did

you see and was it individually or as a couple? Why did counseling fail to bring about a permanent resolution to your problems?

- b) What convinced either you or your former spouse that the marital problems were irreconcilable? When was the actual decision made to leave the marriage, not the official decision, which was hallmarked by somebody departing the marital dwelling? How did having children affect your decision to end the marriage? Who got custody and was this an amicable decision or did the two of you argue over who ought to have custody?
- c) Looking back, if either of you thought the marriage might fail on the day of the wedding, did you reserve the right to leave it 'just in case'? As you think about marriage, are there any reasons a couple ought to have the right to divorce and move on? What might those reasons be and did they apply to your own former marriage?
- d) As you think back, was there something you or your former spouse wanted from marriage that either you or your former spouse just never gave or could give, or some expectation that went unfulfilled? If so, when you or the former spouse realized you were not going to get that expectation, how long did it take to decide to leave the marriage?
- e) Since the divorce or dissolution, have you met the obligations of any parent toward his or her children in terms of presence, emotional and financial support? Have either you or your former spouse neglected to support your children in their own development as God's children relative to their emotional and spiritual well being, their career and academic goals? Have either you or your former spouse 'used' the children in any way or sense as a weapon to 'get at' the other spouse or have you spoken ill of a former spouse in front of your children to alienate them from the other parent?

Be always joyful; pray continually; give thanks whatever happens; for this is what God in Christ wills for you. 1 Thess 5, 16-18

9. If you are a Catholic who originally married 'outside' the Church and subsequently had your marriage 'blessed' by the Church, please respond to these three brief points"

- a) How long was it between your original marriage and the subsequent blessing of the Catholic Church?
- b) Who suggested that the marriage ought to be blessed and why? Was this desire in any way an attempt to repair some problem which could not be resolved?

- c) Did both parties believe that such a blessing was necessary and did both participate fully in the religious aspects of the ceremony, or did one or the other (which one?) openly state that it was not necessary?

10. If you are now planning to marry or are engaged to remarry, please give the full legal name of that person:

Has the person ever been married before and, if so, provide the name of the previous spouse, when that marriage occurred, why it ended, and when the civil termination occurred:

Has the freedom of that person to marry in the Catholic Church been addressed and, if so, where and when?

11. An annulment means that consent to marriage was faulty, and it applies to both parties. Have you either given the current name and address of the former spouse, or provided the appropriate reasons why that name and address cannot be given (see pages 2 and 6 of this Application)

Yes No. If no, please give the name and address here:

12. If you were married before the marriage whose consent is being examined here, have you provided the appropriate information as requested elsewhere (see page 5)? Yes No. If no, please list here the name(s) of any previous spouse, their current address and all other information regarding the date and place of the marriage and the date and place of the civil termination. What went wrong in that marriage?

We pray that you may bear fruit in active goodness of every kind, and grow in the knowledge of God. May he strengthen you, in his glorious might, with ample power to meet whatever comes with fortitude, patience, and joy; and to give thanks to the father who has made you fit to share the heritage of God's people in the realm of light.

Col 1:10-12

Please review your answers with your Procurator/Advocate so that you can be positive you have said all you want to and enough to 'make your case'. If you do not understand any of the questions, please consult with your Advocate or call the Tribunal (419-244-6711). Return the entire Application packet with your responses. Be sure to include all other required documentation with the Application in order to expedite your case.

Supplemental Questionnaire – Cohabitation

If you or your former spouse cohabited with anyone prior to the time of your exchanging consent to marriage with one another, please take time to fill out these few additional questions and add them to your Formal Petition. Cohabitation for the purposes of this process is living together with another person in a marriage-like relationship for a period of five consecutive days to any other period of time.

1. If you cohabited with your former spouse, what was the motivation which led the two of you to decide to live together? How long and how well had you known one another before the option of living together was raised and who first mentioned it? How difficult was it for the two of you to arrive at that decision (was either of you initially opposed and why)?
2. Had either of you lived with anyone else in a marriage-like relationship and if you did, how many persons and for what periods of time did each last?
3. If you cohabited with anyone else than your former spouse, what led the two of you to depart those other relationships?
4. If you cohabited with your former spouse, what was the length of time the two of you lived together? Who suggested marriage and was there any delay in accepting and then moving forward to get married because one or the other of you was quite happy to remain in the uncommitted relationship? To what extent did parents, grandparents, siblings or friends force you to get married?
5. As you made the transition from cohabitation to marriage, what serious discussion about the difference between merely living together and being married occurred?
6. What significant problems were covered up or hidden during the period of cohabitation with your former spouse or anyone else because you feared that party might depart?
7. If you cohabited with your former spouse, what little problems present during the period of cohabitation later became big problems the two of you could not resolve?
8. To what extent did the ease of departure associated with cohabitation remain in your thoughts the day you got married?
9. During the break up of the marriage, which of you referred to or blamed the cohabitation for problems which arose after consent?
10. If children were born during the period of cohabitation, to what extent were they the primary motivation to consent to marry? Would you have married had there been no children involved?