



TRIBUNAL DIOCESE OF FARGO

5201 Bishops Boulevard, Suite A
Fargo, North Dakota 58104-7605
auditor@fargodiocese.org
Phone: 701.356.7940
Fax: 701.356.7995

Petition for a Church Declaration of Invalidity (Prior Bond Case)

Dear Petitioner:

If your former spouse was married to another person before he/she married you and this marriage was never proved invalid by the Church, he/she would not have been free to marry you. If this can be demonstrated by answering the following questions in this section and providing documents to prove the previous marriage, your marriage would be invalid by virtue of the previous bond. If this can be proved, the Tribunal would be able to grant you a Decree of Invalidity proving your right to marry within the Catholic Church.

Enclosed, you will find an outline of information needed by the Tribunal of the Diocese of Fargo to begin the process of reviewing a marriage for a possible declaration of invalidity as a prior bond case. Please note the following instructions:

1. Complete every question. Make sure facts and dates are as accurate as possible. Throughout this form the **PETITIONER is you**. The section entitled **RESPONDENT** is for information regarding **your former spouse**. The section entitled **CO-RESPONDENTS** is for information about the **previous spouse(s)** of the respondent. Also needed to expedite a prior bond case: Marriage certificate of respondent and previous spouse(s), divorce decree(s) of these marriage(s)
2. In order to expedite your case, recent baptismal certificates for you and the respondent (*these can be obtained through the church of baptism*), a marriage license or certificate and a civil divorce decree (*must be the judgment declaring the date of the divorce*) should accompany this application.
3. Please **do not** submit any information to our office until your civil divorce is granted. All applications submitted without necessary documentation will be returned.
4. **All** former marriages must be considered. Therefore, if you have been married more than once, a separate petition must be submitted for **each** previous marriage. (This would not be necessary if your former spouse(s) is/are deceased.)
5. It is necessary that you provide a current address for your former spouse if at all possible. If necessary, please provide the name of a relative of your former spouse. Church law requires us to contact your former spouse and offer him/her a chance to participate in the review process. If the former spouse truly cannot be located, please give us a description of all that has been done to try to find the person and why he or she cannot be found.
6. In submitting this petition, keep in mind that there are **no civil effects** to a Church declaration. This process pertains to Church matters only.
7. Provisions of Church law, which must be observed, govern this judicial process.

If you have any questions, do not hesitate to ask your parish priest, deacon, or parish director. You may also call one of the officials of the Tribunal at the number listed above. Please mail this completed petition to us at the address above.

Sincerely in Christ,
THE TRIBUNAL STAFF

I. BASIC INFORMATION PLEASE TYPE OR PRINT CLEARLY

PETITIONER (YOUR INFORMATION)		RESPONDENT (YOUR EX-SPOUSE'S INFORMATION)
	Last (Current) Name	
	Maiden name, <i>if applicable</i>	
	First	
	Middle	
	Street Address	
	City	
	State/ Zip	
	Home Phone	
	Work Phone	
	Private E-mail	
	Occupation:	
	Employer	
	Date of birth	
	City of birth	
	State of birth	
	Date of Baptism	
	Church of Baptism	
	City & State of Baptism	
	Religion (at time of marriage)	
	Present Parish	
	If religion has changed, when did this occur?	
	Father's Name	
	Father's Religion	
	Father's Street Address	
	Father's City, State/ Zip	
	Father's Phone	
	Mother's Name	
	Mother's Religion	
	Mother's Street Address	
	Mother's City, State/ Zip	
	Mother's Phone	

INFORMATION ABOUT THE CO-RESPONDENT (PREVIOUS SPOUSE OF YOUR FORMER SPOUSE)			
Last (Current) Name			
Maiden name, if applicable			
First			
Middle			
Street Address			
City			
State/ Zip			
Home Phone			
Work Phone			
Occupation:			
Employer			
Private E-mail			
MARRIAGE OF RESPONDENT AND CO-RESPONDENT			
Wedding Date			
Name and address of Church, Court or other location			
Officiant			
If either party was Catholic, did this marriage take place outside the Catholic Church		Yes	No
If yes, was there a Catholic Ceremony later?	Date of Catholic Ceremony	Name and address of Church	Officiant
Was a dispensation from canonical form granted (<i>permission from the Bishop to have a marriage outside the Catholic Church</i>)		Diocese Granting	Address of Parish of Preparation
Civil Dissolution	Date	County	State
MARRIAGE OF PETITIONER AND RESPONDENT			
Wedding Date			
Name and address of Church, Court or other location			
If either party was Catholic, did this marriage take place outside the Catholic Church		Yes	No
Civil Dissolution	Date	County	State
Is the petitioner fulfilling his or her natural obligations to the children and the other party arising from this or other previous unions? <i>If no, please explain on back of page.</i>		Yes	No

Is the respondent fulfilling his or her natural obligations to the children and the other party arising from this or other previous unions? <i>If no, please explain on back of page.</i>	Yes	No
Grounds cited in civil divorce		

OTHER MARRIAGES OF THE PETITIONER

SPOUSE OF FIRST MARRIAGE		SPOUSE OF SECOND MARRIAGE			SPOUSE OF THIRD MARRIAGE			
First name		First name			First name			
Last name		Last name			Last name			
Maiden Name		Maiden Name			Maiden Name			
Date and place of marriage		Date and place of marriage			Date and place of marriage			
Address of place of marriage		Address of place of marriage			Address of place of marriage			
His/her religion at time of wedding		His/her religion at time of wedding			His/her religion at time of wedding			
Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce	Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce	Marriage ended by <i>(please give date in appropriate box)</i>	death	divorce
Divorce Court City, County State		Divorce Court City, County State			Divorce Court City, County State			
Was this spouse married before marrying you		Was this spouse married before marrying you			Was this spouse married before marrying you			
If Catholic Annulment, date granted		If Catholic Annulment, date granted			If Catholic Annulment, date granted			
Diocese granting annulment		Diocese granting annulment			Diocese granting annulment			
Spouse is living or not living		Spouse is living or not living			Spouse is living or not living			

OTHER MARRIAGES OF FORMER SPOUSE			
	FIRST MARRIAGE	SECOND MARRIAGE	THIRD MARRIAGE
First name			
Last name			
Date of marriage			
Former Spouse religion			
Marriage ended by death or divorce?			
Present status of marriage			
Date of death or divorce			
Catholic Annulment granted?			
Date of Annulment			
Diocese			
Is this respondent's spouse living or not living			
INTENDED SPOUSE OF PETITIONER			
First Name			
Middle Name			
Present Last Name			
Maiden name, if applicable			
Present marital status of intended spouse (i.e., Single, Widowed, Divorced, Married (civilly) to Petitioner)			
Religion of intended spouse			
Does your intended spouse need an annulment?			
If the intended spouse is seeking an annulment or has obtained one, with which diocese is he/she working?			

ARE THE FOLLOWING DOCUMENTS OR THEIR COPIES ATTACHED TO THIS APPLICATION?
For the Catholic parties the certificates must be recent. Contact the parish of baptism and request that they send the baptismal certificate along with the notations directly to the Tribunal. If either party was first baptized in a non-Catholic Church and later joined the Catholic Church by making a Profession of Faith, please have the parish in which the Profession was made send a certificate to the Tribunal. Baptismal certificates are not required for non-Catholic parties.

CERTIFICATES NEEDED (Please check yes if attached)	Yes	No
! Baptismal Certificate or Profession of Faith for the Petitioner		
! Baptismal Certificate or Profession of Faith for the Respondent		
! Marriage License or Certificate of your marriage with Respondent		
! Marriage License or Certificate of Respondent's marriage with Co-Respondent		
! Divorce Decree of you and Respondent (<i>the decree must include the date of divorce</i>)		
! Divorce Decree of Respondent and Co-Respondent		
If no for any of these, please explain:		
SPECIAL REQUESTS OR INSTRUCTIONS		
Are there any considerations that you would like the Tribunal to take into account as this process is begun? (For example: confidentiality of present address, special appointment times, need for translators, etc.)		

Contribution Request for Those Participating in the Annulment Process

The Marriage Tribunal exists to investigate the question of the freedom to marry in the Catholic Church. Most people come to the Tribunal to petition for a declaration of nullity, commonly referred to as an annulment. A declaration of nullity is a statement confirming that, at the time of the marriage ceremony, some essential element was missing which prevented the formation of a binding marital union as recognized by the Catholic Church.

In making this determination, the Marriage Tribunal considers the intentions of the parties at the time of the marriage, their attitudes toward marriage, and personality factors which could affect either party's ability to form a stable and permanent relationship. The decision of the Marriage Tribunal has no civil effects in the United States, nor does it have any effect on the civil divorce proceedings or settlement. The granting of a declaration of nullity does not affect the legitimacy of any children who may have been born of the union.

All of the Christian faithful, whether baptized or not, can bring a marriage case before a Church Court. There are three levels of Church courts regulated by canon law: the first is at the diocesan level, the Marriage Tribunal; the second is regional and is called the Appellate Tribunal; and the third is the Roman Rota. There are various officials who serve at the Marriage Tribunal. The Judicial Vicar oversees the work of the Marriage Tribunal. The Defender of the Bond argues to uphold the bond of the marriage that is in question. Procurators represent and act on behalf of the parties while Advocates ensure that the rights of the parties are upheld. Auditors present and prepare the cases.

The civil divorce process can be lengthy, litigious and costly. The annulment process can be a painful experience involving difficult memories, but can also bring about deep personal healing. The Catholic Church is committed to helping people find healing and reconciliation following a divorce; hence, the Diocese of Fargo charges no fees for the annulment process beyond the \$25 filing fee. Instead, we appeal to the generosity of people like yourself who have participated in the annulment process to do what you can to offset the costs to the Diocese of Fargo, so that we can be as helpful and efficient as possible.

After your case has been completed, the Tribunal will send you a contribution request letter. The annulment process costs on average \$1,500 per case, and we ask that you prayerfully consider making a minimum contribution of \$750, if that is at all possible for you and your circumstances. If you have the means and would like to make a larger contribution to help someone less fortunate, we welcome that generosity. We request contributions be made to the *Catholic Development Foundation* to fund an endowment for the Tribunal ministry. In this way, all contributions go toward helping others in the same way you are being helped. If you would like to make a contribution, please send it to the following address. (Please include a note indicating that it is for the "Tribunal Endowment").

Catholic Development Foundation
5201 Bishops Blvd. South, Suite A
Fargo, ND 58104-7605

Thank you for your prayerful consideration of how you may help others through the Tribunal ministry with a generous contribution now or later.

Signed: _____ Date: _____

PLEASE READ THE FOLLOWING PETITION CAREFULLY AND COMPLETELY. BY SIGNING THIS DOCUMENT YOU ARE CONSENTING TO ALL ITS CONTENTS. WHEN THIS PETITION, AND ALL ACCOMPANYING DOCUMENTS, ARE RECEIVED BY THE FARGO TRIBUNAL, THE PROCESSING OF YOUR CASE CAN BEGIN.

FORMAL PETITION

After careful thought and reflection, and after reviewing the materials provided to me, I believe that my marriage to _____ (the Respondent) is invalid insofar as the Catholic Church understands marriage. I, therefore, petition the Tribunal of the Diocese of Fargo to declare the invalidity of that marriage.

I contend that the marriage is invalid as a result of a defect in the consent of either the Respondent or myself. In support of this contention I offer the testimony that will give, as well as that of witnesses I have named in this application and other relevant evidence that may come to light.

By virtue of my signature affixed below:

- I agree to whomsoever the Tribunal may appoint as my Procurator-Advocate and authorize him/her to do all that is necessary in my interest.
- I understand that my former spouse may be made aware of the general content of my application and that my former spouse may also be allowed to exercise the right, provided in Church law, to review my testimony.
- I understand that professional counseling or special instructions may be mandated before permission to remarry will be granted. I further understand that all financial obligations imposed on me by the civil courts toward my former spouse and children, if any, must be current before I can remarry.
- I understand that I may not set a date for any future marriage until, and only if, I have received a declaration of invalidity, without restriction. I understand that I will have to fulfill any requirements and restriction placed on me as a result of this study before permission to remarry can be received. I understand that no priest, deacon, or parish minister may provide me with even a tentative date for a future wedding in the Catholic Church until this process has been completed.

I testify that am presenting this case in good faith and I am fully committed to this process. The statements in this application are true and complete. I agree to cooperate fully with the Tribunal and to be bound by the policies established by that Office in accordance with the law of the Church.

_____ Date	_____ Signature of the Petitioner
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The pastoral minister is to sign this document. We remind the minister that no date for a future wedding in the Catholic Church, not even a tentative date, is to be set until, and only if, a declaration of invalidity, is given and all restrictions have been lifted.

Signature of pastoral minister

Name (*typed or printed*) of pastoral minister

Sponsoring Parish:

address

City State/zip

Phone:

E-mail: