

SAMPLE - Petition for Decree of Nullity – Formal Case

USE THIS WORD DOCUMENT TO CREATE YOUR DRAFT TESTIMONY.

SAVE THIS ORIGINAL AND WORK IN A COPY.

USE A DIFFERENT COLOR FONT IF THAT HELPS.

GIVE EACH QUESTION ENOUGH THOUGHT.

AVOID SHORT, ONE-WORD ANSWERS.

Use a computer to complete this portion of the Petition, and save the file! The terms former-spouse and Respondent are interchangeable in the following questions.

Name _____

A. Basis for Petition: Please explain what, in your opinion, was the reason(s) why the marriage with the Respondent in this case failed?

B. Pre-Courtship, Petitioner (Concerning your life from birth to your first date with the Respondent):

Please give us some background information relating to your growing-up years. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible.

B1. The character of your parents, their relationship with each other, with you and other children in the family.

What patterns did you observe in your parent’s marriage that affected the way you saw the opposite sex and how they should be treated? *Was there warmth and affection? Did o parent bully or ignore the other? Did they overly favor any of the kids? Who were you closest to and why? Was there any parental alienation? Were you spoiled, pampered, or the favorite? Were you ignored or outcast? How did they discipline you?*

B2. Describe any tensions, difficulties or stresses present in the family while you were growing up.

Was there extreme poverty, drug use, alcoholism, gambling, infidelity? Sexual abuse, incest, physical violence, cruelty? Bullying? Religious extremism, witchcraft, or satanic ritual? Did you ever run away? Did you want to run away? Why? Were you ever kicked out? Was anyone else in the family?

Did a parent show favoritism or make you an emotional surrogate for the absent parent?

Did you have close friendships? How did you get along with peers?

Was anyone molested? Any trouble with the law?

B3. To what extent did your childhood and adolescence prepare you well or poorly for your own adult life and marriage? *Were you able to stand on our own two feet when you married? Were you overly naive or optimistic? Were you still emotionally attached to a parent so that he/she took priority over your spouse?*

B4. What is your educational background? What kind of student were you? *Were you bullied in school?*

B5. What is your employment history?

Difficulty keeping jobs? Reasons.

B6. What was your history of dating before meeting your spouse? *Very few serious relationships? Many? How long did they last? Was there sexual activity? What effect did this have on you? Had you ever been engaged to another person? If so, why did it end?*

B7. Was the marriage in question here your first marriage? *If not, please provide information on the identity of all prior spouses, the inclusive dates of the marriage and how it ended—divorce, death, or annulment.*

B8. Describe any history of drug or alcohol abuse, gambling or other addictions.

This includes pot smoking; when started, how long; how it affected you.

B9. Describe any history of criminal activity, arrests or imprisonment.

B10. Describe any history of mental illness, serious emotional disturbances, or psychological problems. Include the nature of the illness/problem and the dates involved. If treatment was provided, please identify any doctor or therapist and list his/her address and telephone number.

Psychological problems can range from OCD to anxiety, to various forms of ongoing depression, self abuse, cutting, constant masturbation, extreme shyness, over attachment to parents, fear of growing up, hurting others, etc.

C. Pre-Courtship, Respondent (Concerning the Respondent's life from birth to his or her first date with you): Please give us some background information relating to the Respondent's growing-up years. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible.

C1. The character of the Respondent's parents, their relationship with each other, the Respondent and other children in the family.

What patterns did you see or are aware of in his/her parent's marriage that affected the way respondent saw the opposite sex and how they should be treated? *Was there warmth and affection? Did a parent bully or ignore the other? Did they overly favor any of the kids? Who was respondent closest to and why? Was there any parental alienation? Was respondent spoiled, pampered, or the favorite? Was he/she ignored or outcast? How did they discipline the kids?*

Referring to the questions YOU answered about your own past, address these:

C2. Describe any tensions, difficulties or stresses present in the family while the Respondent was growing up.

C3. To what extent did the Respondent's childhood and adolescence prepare him/her well or poorly for his/her own adult life and marriage?

C4. What is the Respondent's educational background? What kind of student was he/she?

C5. What is the Respondent's employment history?

C6. What was Respondent's history of dating before meeting you? Had he/she ever been engaged to another person?

C7. Was the marriage in question here his/her first marriage? If not, please provide information on the identity of all prior spouses, the inclusive dates of the marriage and how it ended—divorce, death, annulment.

C8. Describe any history of drug or alcohol abuse, gambling or other addictions.

C9. Describe any history of criminal activity, arrests or imprisonment.

C10. Describe any history of mental illness, serious emotional disturbances, or psychological problems. Include the nature of the illness/problem and the dates involved. If treatment was provided, please identify any doctor or therapist and list his/her address and telephone number.

D. Courtship (Concerning the time from first date to proposal of marriage): Please give us some information relating to your courtship. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible.

D1. How old were you and your former spouse when you first met?

D2. How old were you and your former spouse when you first started to date?

D3. How did you and your former spouse meet? Under what circumstances? What was the date (approximately)?

D4. What reaction did your family or the Respondent's family have when you started dating. *Explain. What was said?*

D5. What reaction did your friends have when you started dating?

D6. Please describe frequency of dates, separations, and breakups.

D7. Describe any problems between you and your former spouse during the courtship and how they were resolved. When did these problems first begin? *Was there any verbal, emotional, or physical violence or abuse? Give example. Were you drinking a lot? Please describe frequency and amount in a typical week/weekend.*

D8. Did you and your former spouse have a sexual relationship with each other during this time? How did that influence the courtship?

D9. Was a pregnancy involved in your decision to marry? Were there external pressures (parental, friends, church) to marry because of a pregnancy? *What were you thinking and feeling at this time?*

D10. Describe the proposal of marriage. Who proposed, where, and under what circumstances?

D11. What motivating factors brought about the proposal?

D12. Did you and your former spouse have a pre-nuptial agreement? If so, why? Explain what it covered.

D13. What was each family's attitude about the proposed marriage? Did your family or theirs advise either of you not to marry?

D14. Was there any pressure for you or your spouse to marry? Was there a financial or other pressure for you/them to move out and be on your own? Were there religious pressures?

D15. Did either you or your former spouse deliberately conceal important information from each other before the proposal? If so, explain what it was and why it was concealed.

D16. What did you like/dislike about your former spouse during the time that you were dating?

D17. Did either of you date other people while also dating each other? Who? Did this become a point of tension between you and your former spouse?

E. Engagement (Concerning the time from the acceptance of the proposal to the wedding): Please give us some information about the engagement period. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible. 3 Revised 2015

E1. Did you and your former spouse have a sexual relationship with each other during the engagement? How did that influence your decision to marry?

E2. Were there any miscarriages or abortions before the marriage? If so, describe how you were affected; how the relationship was affected?

E3. Did you plan to have children in this marriage? If not, why?

E4. Did the Respondent plan to have children in this marriage? If not, why? If not, how and under what circumstances did you become aware of his/her intentions?

E5. What were the attitudes and intentions of both you and your former spouse about being faithful in marriage? Please describe any comments in this regard, how and when you became aware of these attitudes and intentions. Was anyone else present when these comments were made? If so, who?

E6. Did you understand marriage as permanent, until death of one of you, and that it cannot be terminated by divorce, dissolution, or any civil court action? If not, what was your understanding about any termination of the marriage?

E7. Did the Respondent understand marriage as permanent, until death of one of you, and that it cannot be terminated by divorce, dissolution, or any civil court action? If not, what was his/her understanding about any termination of the marriage?

E8. What were your main reasons for entering this marriage? What did you think you would be gaining? *What were the main reasons for your spouse? Were either*

*of you extremely lonely or afraid to be on your own emotionally or financially?
Were you looking for a parent for your children?*

E9. Did you enter marriage with any serious doubts or reservations? If so describe them. Did you share these with anyone?

E10. Did either you or your former spouse deliberately conceal important information from each other before the wedding? If so, explain what it was and why it was concealed. -----

*If the marriage for which you are seeking a declaration of nullity was first celebrated in a non-Catholic ceremony and later convalidated, validated or blessed in the Catholic Church, then **the questions hereafter** should be answered referring solely to the convalidation, validation or blessing celebration in the Church.*

F. Wedding and Honeymoon: Please give us some information relating to your wedding and honeymoon. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible.

F1. During the preparation for this marriage did any priest, deacon, minister or counselor warn you about entering this marriage? If so, who and under what circumstances was the warning stated?

F2. When you first started to plan for the wedding was it your desire to marry in a Catholic Church, a non-Catholic Church or in a civil ceremony? Were your plans ever changed before the wedding? Why?

F3. Describe your feelings, and those of your former spouse, on the day of your wedding.

F4. Did any serious and unusual event take place during the wedding rehearsal, or just before or during the wedding ceremony? Who planned the wedding? Were there any significant arguments about it? Did you feel you had a voice and a choice? Were there any threats or thoughts of calling it off? What stopped it?

F5. Was the honeymoon a pleasant experience for you and your former spouse? If not, please explain.

F6. Was the marriage consummated? If not, please explain.

F7. Were birth control measures being used at the time of the wedding? If so, why?

G. Married Life: Please give us some information relating to your marriage. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible.

G1. Describe the quality of your communication during the entire marriage? Especially in the first few years. Explain any problems in this area.

G2. Were you and your former spouse able to express and receive signs of affection, warmth and closeness? If not, why not? 4 Revised 2015

G3. What issues were a serious source of conflict between you (please be specific)? When did these issues first surface? Which, if any, were apparent before the wedding? What attempts were made to resolve them?

What role did the children play in your family life? Did one of you give more importance/ priority to the children over the spouse? Were there significant discipline problems? Did your spouse back you up or was he/she a cause of the problems? Did one of you make a child an emotional surrogate spouse? Was there any incest?

G4. Who among your family and your friends first became aware of the problems between you and your former spouse? Have you listed this person as a witness? If not, why?

G5. Why did the marriage fail? Give a detailed explanation of what you believe to be the chief reason or reasons for the breakup of the marriage. *What do you think was wrong with it from the beginning? What red flags were ignored?*

G6. Were there any outside interferences that caused the breakup of the marriage? If so, please describe.

G7. At some point in time did you decide that it was a mistake to marry your former spouse? Please explain when and what brought about this conclusion.

H. Separation: Please give us some information relating to the final separation. Cover as many of the following points as possible. Please give factual examples. Provide dates or a time frame where possible.

H1. Did either of you fail to support the other at a time of crisis? If so, please describe.

H2. What did you consider your responsibility to be in married life?

H3. Did you and your former spouse share interests and activities? Describe any conflicts in this area.

H4. What was the quality of your sexual relationship during the marriage? Describe any problems in this area.

H5. Was there any instance(s) of infidelity during the dating, courtship, and marriage? If so, describe the circumstances, when to began, and how this affected your relationship.

H6. If there were no children born of this marriage, please explain why. How did this affect your relationship?

H7. Were there ever any acts of violence committed by you or your former spouse toward the other during the course of the marriage? If so, when was the first act of violence? Who acted violently? Please describe the acts? Did violence recur? Were the police ever called to stop the violence? Specifically, when and where did these acts take place?

H8. Was there ever any practice of religion during the marriage? If not, why? If yes, what religion?

H9. If you and/or your former spouse sought marriage counseling, please provide the name and address of the counselor and the approximate dates of consultation.

H10. Were there any temporary separations during the marriage? If so, please describe the causes, circumstances, dates, duration and reasons for the separation and the reconciliation.

H11. What specific events, difficulties and/or circumstances led to the final separation and civil divorce (dissolution)?

H12. When did you stop living together?

H13. Who mentioned divorce first? When was the first time divorce was mentioned? *What specific events gave rise to a suggested divorce? Were there frequent threats of divorce? When did they start?*

H14. When did you or your former spouse file for a civil divorce (dissolution)?

H15. Did anyone attempt to talk you out of the final separation? If so, who and what was his/her reason.

I. Character: Please describe the character and personality of your former spouse. Cover as many of the following attributes as possible. Please give factual examples.

I1. Truthfulness

I2. Spiritual character

I3. Openness

I4. Devotion to children

I5. Dedication to work

16. Personality (For example: happy, sad, depressive, outgoing, angry, quiet, argumentative, et cetera.)

J. Miscellaneous: Please answer the following questions individually.

J1. Has your former spouse ever remarried? If so, give the dates and places of the marriages. If any of these marriages ended in divorce, please explain.

J2. Have you civilly remarried? If so, give the dates and places of the marriages. If any of these marriages ended in death or divorce, please explain.

J3. Was your present spouse or proposed new spouse ever married before? If so, give the dates and places of the marriages. If any of these marriages ended in death or divorce, please explain.

J4. Will your former spouse be willing to cooperate with this Tribunal by giving his/her side of the story in writing or in person? Why do you believe this?

J5 Does your former spouse hold a grudge against you, any member of your family or any of the persons you have designated as witnesses? If so, please explain.

J6. Is there any additional fact or circumstance concerning the marriage to your former spouse that you believe is relevant to the evaluation of your petition for nullity? If so, describe.

J7. Have you ever been a party to any other marriage, whether Catholic, non-Catholic, civil court or wedding chapel? Please provide the name of the party(ies) married. If yes, keep in mind that the status of all prior marriages must be resolved in order to determine you to be free to marry in the Catholic Church.

J8. At this time, is there any possibility that, through the intervention of the Catholic Church, the marriage which is the subject of this petition, could be reconciled? Please explain

FINAL

If you were married for a long time, and the marriage was difficult or unbearable, why did you stay so long? List all reasons.

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