



## **WILL I GET AN ANNULMENT (Declaration of Nullity)?**

Who knows? That's like asking a lawyer if you're going to win your civil trial. He or she can't properly answer until appropriate time is spent uncovering the fullness of the truth, exploring your history, digging more deeply for hidden issues, anticipating surprises, considering what your spouse might say or do along the way, where and—if you might have a case—how to find the best witnesses. Only then can you make a prudent decision to proceed and how to build and best present your case to the judges.

That's why anyone who simply hands you a packet and tells you to complete and return it, has failed to give you the proper time, consideration, expertise, and care you not only deserve but that is your right under Canon Law.

*Some other things to know before you proceed:*

- Earthly marriage is considered to be a reflection of, and wonderfully and mysteriously shares in, the marriage between Christ and his Bride, the Church.
- The way the Lord loves us is what sets marriage apart from any other human relationship: a relationship where both spouses enter: **FREELY**, with no grave fear, pressure, or agenda, **FULLY**, for life and with nothing held back, **FAITHFULLY**, emotionally and sexually exclusive, and more, and **FRUITFULLY**, open to the gift of children.
- Every marriage is considered to be valid until proved otherwise in a competent Catholic tribunal. The judges **DO NOT** determine if a marriage is valid because it is already presumed so.
- The burden of proof for nullity then, rests on the Petitioner.
- You don't have to have a Christian faith to have a valid marriage bond. Even non-Christians can vow to live a **FREE, FULL, FAITHFUL** and **FRUITFUL** marriage. When they do, the Church assumes they, too, have a valid marriage.

bond. That's why, if they divorce and later wish to wed in the Catholic Church, they must be first granted a Declaration of Nullity.

- Where does the “Sacrament” come in? Only if both parties are validly baptized Christians, they are presumed to have both a VALID marriage bond and a SACRAMENTAL bond.
- Can anyone live this kind of love perfectly? No, but both parties must ( a ) INTEND to enter this kind of union, and ( b ) BE CAPABLE of so doing.
- Addictions, infidelity, abuse, and all manner of human weakness and sinfulness can wound a marriage—but not necessarily invalidate the bond. Spouses in difficult marriages do not need to tolerate abuse, but they must seek help in appropriately staying faithful to and honoring their marriage vows. With grace and wise counsel, it's possible.
- Some people never really or fully INTEND what marriage requires, and some are utterly INCAPABLE. If this is the case—and you intend to prove it—the tribunal will need sufficient, truthful, and competent testimony from at least one party and usually several witnesses.
- *Can the process be abused?* Of course. Like our civil courts, there can be lying spouses or witnesses, bad judges, and incompetent lawyers. But it is not the majority of the time and you should never despair of seeking help from trained and reliable experts.
- It's not easy. It's often painful. It takes time, humility, honesty, and patience. But it has been part of the powerful healing after a civil divorce for many men and women.
- Pray. Draw close to the Lord and stay there! And get a wise and holy person to help you.