

# Metropolitan Tribunal Marriage Case Application

Check here if case involves RCIA

Questions about this form can be answered by email at **tribunal@archchicago.org** or by calling 312. 534.8280 between the hours of 9:30 a.m. and 4 p.m. Monday–Friday.

- A civil dissolution/divorce must have already been finalized before this application can be accepted by the Tribunal.**
- The acceptance of this application **will be delayed** by missing information, especially the current address for your former spouse.
- After this application has been reviewed, the Tribunal will contact you by telephone or post.

## TRIBUNAL USE ONLY

- Whereabouts unknown
- No jurisdiction
- Companion (N°):                      –
- 
- Serial Order (circle):      A      B      C
- Second review:

## SECTION A

### General Case Information

1.  Mr.     Mrs.     Miss     Ms.     Dr.

Legal Name: First:	MI:	Last:
Maiden Name (if applicable):		

2. Street Address: \_\_\_\_\_ Apt Number: \_\_\_\_\_

City:	County:	State:	ZIP:
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Is this your **principal** residence?  Yes  No If no, please explain: \_\_\_\_\_

Phone: Home:	Work/Cell:
Email:	Occupation:

Work Address: \_\_\_\_\_

Date of Birth (mm/dd/yyyy):	Place of Birth:
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3. List **all** of your marriages **including your current union**. (Please include all marriages. Also, be sure to list the Catholic Church convalidation or “blessing,” of any of these marriages.)

A. Name of Spouse (before your marriage):	Date:		
Name of Church, Court, etc.:			
Church/Court Address:			
City:	County:	State:	ZIP:

B. Name of Spouse (before your marriage): \_\_\_\_\_ Date: \_\_\_\_\_

Name of Church, Court, etc.: \_\_\_\_\_

Church/Court Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

C. Name of Spouse (before your marriage): \_\_\_\_\_ Date: \_\_\_\_\_

Name of Church, Court, etc.: \_\_\_\_\_

Church/Court Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

**4. How, when and where** (e.g., place of divorce) did **each** marriage end?

A.  Death  Divorce  Annulment \_\_\_\_\_ Date (mm/dd/yyyy): \_\_\_\_\_

Place (county and state) / Tribunal: \_\_\_\_\_

B.  Death  Divorce  Annulment \_\_\_\_\_ Date (mm/dd/yyyy): \_\_\_\_\_

Place (county and state) / Tribunal: \_\_\_\_\_

C.  Death  Divorce  Annulment \_\_\_\_\_ Date (mm/dd/yyyy): \_\_\_\_\_

Place (county and state) / Tribunal: \_\_\_\_\_

5. To which marriage does **this application** refer?  A  B  C

6. Is this a marriage that took place in a non-Catholic setting with the permission of the Catholic Church?

Yes  No If yes, what parish has the Catholic records? \_\_\_\_\_

7. Have you ever been baptized, sprinkled or christened?  Yes  No

If yes, in what religion? \_\_\_\_\_

Approximately when (date): \_\_\_\_\_ Name of Church: \_\_\_\_\_

Address of Church: \_\_\_\_\_

What was **your religion** at the time of this wedding? \_\_\_\_\_

8. Are you related to your former spouse by blood, adoption or as an in-law?  Yes  No

If yes, how? \_\_\_\_\_

9. Ages at the time of the marriage to which **this application** applies: Man: \_\_\_\_\_ Woman: \_\_\_\_\_

**Former Spouse Information**

10. **Present** legal name of your former spouse to whom this application applies:  
**(The Tribunal expects you to provide the address of your former spouse. Failure to do so will delay your case.)**

Mr.  Mrs.  Miss  Ms.  Dr.

First: \_\_\_\_\_ MI: \_\_\_\_\_ Last: \_\_\_\_\_

Maiden Name (if applicable): \_\_\_\_\_

Street Address: \_\_\_\_\_ Apt Number: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Is this his/her **only** residence?  Yes  No If no, please explain:

Phone: Home:

Work/Cell:

Email:

Occupation:

Work Address:

Date of Birth (mm/dd/yyyy):

Place of Birth:

**11. Do you think your former spouse will cooperate with the Tribunal regarding this matter?**

Yes  No  Unsure

**12. How long did you **date**?**

How long were you **engaged** to be married?

**13. How many children were born or adopted into the marriage?**

**14. Approximate date when you and your former spouse finally **separated** (not divorced):**

**15. Has your former spouse **ever** been baptized, sprinkled or christened?  Yes  No**

If **yes**, in what religion?

Approximately when (date):

Name and Address of Church:

If **no**, how do you know?

What was **the religion of your former spouse** at the time of this marriage?

**16. Have **any** of your prior marriages ever been brought to the attention of a church Tribunal or Chancery Office?**

Yes  No If yes, which one, when and where?

**17. Was your **former spouse** ever married to another person **before** marrying you?  Yes  No**

**If no, go to section C.**

**SECTION B**

**Your Former Spouse's Prior Marital History**

(This section is to be completed **only if** your former spouse had a prior marriage; that is, if the answer to question 17 is "Yes.")

**18. How many times was your former spouse married before marrying you?**

(If he/she was married more than once **before** marrying you, please answer questions 19–22 for each of these marriages on separate pages and attach.)

**19. Was your former spouse's **prior** marital partner:**

alive at the time you married your former spouse?  Yes  No **If no, go to Section C.**

alive the entire duration of your marriage to your former spouse?  Yes  No

**20. Was this marriage the first for both parties?  Yes  No If no, please explain:**

**21. Was your former spouse's earlier marriage ever declared invalid by the Catholic Church?  Yes  No**

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**22.** Please provide the following information and/or documentation, if at all possible:

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Name of your former spouse's prior spouse (including maiden name, if a woman):

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Religion of his/her prior spouse:

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Date and place of your former spouse's prior marriage:

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Date of former spouse's prior divorce (mm/dd/yyyy):

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Place of divorce:

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**SECTION C**

**Assessment of Marital Attitudes**

**23. At the time of the wedding**, people have different attitudes and beliefs about what marriage means, as well as various abilities. The following statements are designed to help the Tribunal gain a better understanding of the abilities, attitudes, and beliefs of you and your former spouse. Please review each of the statements about your wedding and check the boxes that apply to you and/or your former spouse (FS), **and give a brief explanation**. These items refer to **principal or major** traits that you and your former spouse brought into the marriage. There are no “right” or “wrong” answers.

**As required by Church law and as part of the Tribunal process, you will be asked to provide the names of witnesses who are able to corroborate your description of your marital situation. Later, the Tribunal will ask for their testimonies.**

**You FS Please explain all your answers**

**A. At the time of our wedding, one or both of us:**

did not realistically know whether our relationship was strong enough for us to be married.  
**Please explain.**

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**B. At the time of our wedding, one or both of us:**

already had personal or family experience of or had been a victim of physical, sexual, emotional, or verbal abuse.

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already struggled with what would later be seen as an addiction (alcohol, drugs, pornography, gambling, etc.).

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expressed, experienced, concealed, or denied difficulties with sexual orientation.

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**C. At the time of our wedding, one or both of us:**

went through the wedding ceremony for a reason other than to form a marital partnership.

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wanted to back out of the ceremony but could not do so.

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felt that other things were more important than the spouse; e.g.,

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**D. At the time of our wedding, one or both of us:**

did not intend to have children.

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**E. At the time of our wedding, one or both of us:**

believed that sexual infidelity was acceptable for a reason.

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**F. At the time of our wedding, one or both of us:**

was convinced that divorce was acceptable if the marriage would prove to be unsuccessful or unhappy.

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**G. At the time of our wedding, one or both of us:**

intended to be married only if some condition or expectation would be fulfilled. Please specify this condition.

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**H. At the time of our wedding, one or both of us:**

was convinced that divorce was acceptable if the marriage would prove to be unsuccessful or unhappy.

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was afraid **not** to get married because of some external factor or pressure.

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**I. At the time of our wedding, one or both of us:**

held that our spouse had to have a particular quality/characteristic and this was the principal reason for marrying.

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**J. At the time of our wedding, one or both of us:**

purposely did not disclose a significant fact that affected the decision to marry.

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deceived the other person into marrying.

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**25. Legal name (before marriage) of the person you intend to marry (or have married):**

Maiden Name (if applicable):

**26. Address:**

City:

State:

ZIP:

**27. Was your present or intended spouse baptized?**  Yes  No

If yes, in what religion?

**28. If you are presently married (even if only civilly), please indicate:**

Date of marriage (mm/dd/yyyy):

Place (e.g., Church/Court):

City:

County:

State:

**29. Was your present/intended marital partner **ever married** to another person (even civilly) **before** marrying you?**  Yes  No If **no**, skip number 30. If **yes**, number of times:

**30. Was/were the marriage(s) declared invalid by the Catholic Church?**  Yes  No

If yes, name of Tribunal:

**Note:** If no ecclesiastical annulment was received for any previous marriages of your present/intended spouse or they were not terminated by death, a **Declaration of Nullity** by the Catholic Church **may** be needed. **Please consult with your parish staff.**

**I understand that I MAY NOT set a date for a future marriage in the Catholic Church until – and if – an affirmative decision is given and approved by the proper Ecclesiastical Court(s). Furthermore, until that time, I understand that NO PRIEST, DEACON, OR PASTORAL MINISTER may provide me with even a tentative date for a future marriage in the Catholic Church.**

**Note: By signing below, you acknowledge that you understand and accept these conditions.**

Signature of Applicant (required)

Signature of Pastoral Minister (required)

Date (mm/dd/yyyy):

Pastoral Minister Name:

Parish Address:

Phone:

City:

State:

ZIP:

**Please return to:**

Office of the  
Metropolitan Tribunal  
Attention: Applications  
835 North Rush Street  
Chicago, IL 60611

**A \$50 filing fee is requested.**

**OFFICE USE ONLY**

**OFFICE USE ONLY**

Formal

**Competence 1672 (circle): 1° 2° 3°**

Documentary

TOP:

Dissolution

QQs:

BP

Reviewer:

Make checks payable to: **Catholic Bishop of Chicago**

Retain a copy of this form.

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## **BASIC INFORMATION ABOUT THE PROCESS**

The Catholic Church teaches that marriage is created by God and governed by God's laws. Marriage is the union between a man and a woman that is an unbreakable covenant/bond. However, certain requisites are essential for this covenant to be unbreakable and binding. An ecclesiastical declaration of nullity is a statement by the Roman Catholic Church that, after a thorough investigation into the facts of the marriage in question, it is not a binding union because the relationship fell short of at least one of the elements seen as necessary for a valid marriage.

Marriage is permanent, exclusive and open to children. A person must also be capable of making a mature, informed decision and possess the physical, psychological and emotional ability necessary to live out the commitment. Any decision made by a Catholic Church Tribunal has no effect on one's civil divorce and obligations (e.g., child support). Moreover, children remain legitimate if a Declaration of Nullity is granted.

**Either party to a marriage may apply for a declaration of nullity whether one is Catholic or not.** The only reason the Catholic Church becomes involved in the marriage of divorced non-Catholics is because that person now wishes to marry a Catholic in the Catholic Church or have his/her current civil union to a Catholic con-validated by the Catholic Church.

**A divorce must be finalized** before an application can be accepted. Because of separation of Church and State in this country, ecclesiastical declarations of nullity have no civil effects.

### **Those who need a declaration of nullity prior to a future marriage in the Catholic Church are:**

divorced Catholics who were married in the Catholic Church by a priest or deacon; divorced Orthodox Christians and members of the Polish National Catholic Church who were married by their respective priest; all other divorced individuals who were married in a religious or non-religious ceremony.

**All information and testimony is confidential** and is only made known to the tribunal officials and the parties, as required by canon law. No third party has access to any case information.

## **A BRIEF OVERVIEW OF HOW A CASE PROCEEDS**

**The following overview reflects the revised law concerning Tribunal procedure enacted by Pope Francis on December 8, 2015. Please note that these are the main aspects of the process.**

**An in-depth explanation of the procedures is available on the archdiocesan website in a "frequently asked questions" format (FAQ). Go to [archchicago.org](http://archchicago.org), click on "Offices and Ministries" and click on Metropolitan Tribunal. Scroll down to "Additional Resources" for the FAQ.**

- **Different procedures are available to the Tribunal depending on the circumstances of the case.** Some of these are: the ordinary process, the documentary process, the Favor of the Faith dissolution and non-consummation. The Brief Process introduced by Pope Francis is also an option. Once the application is reviewed at the Tribunal, the applicant will be contacted. The applicant will receive correspondence from the Tribunal to assist in initiating the required process. In the majority of cases the applicant will be assigned a Field Delegate (Tribunal representative) who will review the material submitted and will assist the applicant in securing missing information. All of this material is returned to the Tribunal.
- **One's former spouse (the Respondent) will be contacted** because he/she must be informed that an action is being taken that involves him/her. If the former spouse is not interested in participating the case may still move forward. However, the Respondent's participation is valued. The Petitioner (applicant) is responsible for securing the whereabouts of the former spouse. However, if this is truly unknown and proven as such, the case can proceed.
- **If the petition is accepted, the Judicial Vicar informs the Petitioner and the Respondent of the proposed grounds** for the case, and each is asked to respond and voice any observations. Two weeks later the Judicial Vicar informs the Petitioner and Respondent of the names of the Presiding Judge and other Court Officials for the case.
- **The Petitioner and the Respondent have a right to the services of an Advocate.** An Advocate is a canon lawyer from an approved list who will submit a brief on the person's behalf.

- **Witnesses who are knowledgeable about the personal backgrounds, courtship and marriage will be contacted by the Judge.** It is vital that the cooperation of the witnesses has been secured prior to submitting their names. If, due to serious circumstances, it is not possible to provide knowledgeable witnesses, character references may be requested.
- **Either party may be asked to have an appointment with a court-appointed psychologist** depending on the facts of the case.
- **When all information is gathered the Petitioner and the Respondent are informed** and given a fifteen day time period to indicate whether he/she wishes to schedule an appointment to review the information at the Tribunal. The person must sign an oath of confidentiality.
- **The case is then closed to further testimony by the Judge.** The Advocates, if appointed, now compose and submit their briefs. The Defender of the Bond then submits a brief. The Defender of the Bond is required to uphold the bond of marriage and can raise objections to a possible affirmative finding if the proof is insufficient, if rights have not been protected or if proper procedure has not been followed.
- **Once a decision is reached, the Petitioner, the Respondent and the Defender of the Bond are informed.** Each has the right to appeal, whether affirmative or negative.
- **If an affirmative decision is given and there is no appeal within one month of the date of the decision, it becomes effective** and the Petitioner and Respondent are freed from the bond of marriage. The necessary decrees are sent to each person.
- **If a person appeals the decision,** it can be made to the Interdiocesan Court of Appeals, Province of Chicago or to the Roman Rota. Either of these courts can respond to the appeal in several ways: 1) it can reject the appeal as having no merit, 2) it can confirm the first decision, or 3) it can overturn the first decision. If the appeal is rejected or the appeal court confirms the initial decision, then the decision is upheld and becomes effective. If it is overturned, further treatment of the case is needed.
- **If there are any unresolved issues** stemming from the marriage in question, one or both persons may be asked or required to seek professional or spiritual assistance before any future marriage in the Catholic Church.
- **The Petitioner is responsible for the Court fees.** This fee is for the services of the Metropolitan Tribunal and is not a donation. However, no one will be turned away because of a genuine inability to pay any or all of the fee. See the enclosed description of fees.

**Contact Information:**

Tribunal Number: **312.534.8280**

There is a staff member on call Monday–Friday, 9:30 a.m. – 4 p.m.  
(English, Spanish, Polish) to answer your questions.